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April 25, 2005

Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia
22313-1450

Re: Petition for advancement of the 10/605409 application - Response to Denied
Petition under MPEP 708.02 section VIII

Dear Director of USPTO,

This is in response to the denied petition to advance application 10/605409 entitled,
Toes and Callus Cleaner in accordance of 37 CFR Section 1.102 (c).

We have modified the search report pursuant to MPEP 708.02 section VIII to include
classes: Class 15, Subclasses 104.92, 210.1, Class 4, Subclass 606 and Class 601
Subclasses 136 and 138.

Sincerely,

Richard Rouse, Patent Agent



Patent**Informatics**

Search Report 004 for application 10/605409 entitled, Toes and Callus Cleaner

Summary

Our search report suggests that the invention described in the application 10/605409 entitled, Toes and Callus Cleaner does not appear in the disclosed subject matter of the patents identified by this patent search.

This conclusion is based on conducting the following series of patent classification code searches:

- Class 15 Subclass 104.92
- Class 15 Subclass 210.1
- Class 4 Subclass 606
- Class 601 Subclass 136
- Class 601 Subclass 138

Background of Invention

The present invention relates to an improved foot spraying and scrubbing device that is designed to conveniently and safely clean difficult areas of the foot such as between the toes. This invention has been designed in order provide a simple and fast means of cleaning feet in order to reduce the prevalence of commonly transmitted diseases such as fungal and bacterial infections that often occur in private bathrooms between family members and also in public places like gym lockers, showers and swimming pools. The present invention is a simple device for the general purpose of scrubbing feet, especially in regions between the toes. Due to its simplicity it is very amendable as a cost effective apparatus that can be purchased by any household or public facility.

In the prior art, foot cleaning devices have been disclosed. U.S. Pat. No. 4,918,779 claims a device that consists of a foot-controlled spray with brushes. In this device, the spray and brush comes from a horizontal position where the spray flows through the brush. U.S. Pat. No. 6,584,636 discloses a device that contains both vertical and horizontal brushes and wash feet using a stream of water coming from a source beneath the foot, which like the 4,918,377 patent, uses a stream of fluid that flows through the brush. Further the 6,584,636 is designed to wash shoes outdoors.

As opposed to the .636 patent, the present claimed invention is designed to wash feet in private or public bathrooms, gymnasiums or swimming pools. Further as opposed to the 6,594,636 patent, the stream of fluid can be a detergent that flows from a source that is from above the foot. The present invention also has

Using a fluid source that pours detergent from a position that is above the foot and is separated from the brushing mechanisms enables a more sanitary washing device. This is due to limited direct contact of feet to the position where the detergent is poured. This feature makes the present invention very suitable for public locations having large numbers of people where the frequency of contagious foot disease is high.

FIG. 1

Patent Search Codes

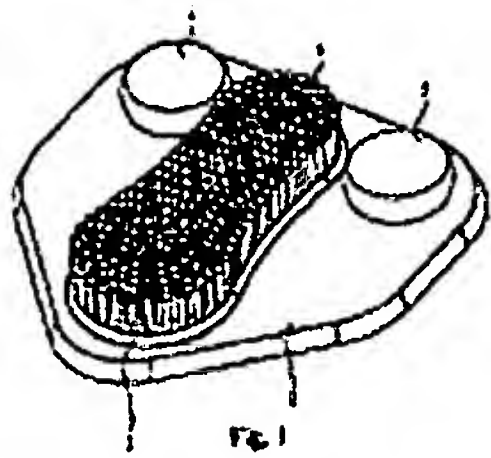
- Class 15 Subclass 104.92
- Class 15 Subclass 210.1
- Class 4 Subclass 606
- Class 601 Subclass 136
- Class 601 Subclass 138

Class 15 Subclass 104.92 Search

Relevance	Patent ID (link to summary)	Espacenet	Classification Code	Title
high	US6779218	Espacenet	15/104.92	Apparatus and method for ergonomic basic chiropody
low	US6662398	Espacenet	15/104.92	Hands free foot scrubber
low	US6389631	Espacenet	15/104.92	Foot scrubbing device
moderate	US6223379	Espacenet	15/104.92	Foot cleaner device
moderate	US5996163	Espacenet	15/104.92	Foot brush assembly
low	US5983433	Espacenet	15/104.92	Foot cleaning device
low	US5813078	Espacenet	15/104.92	Shower foot washer
low	US5758381	Espacenet	15/104.92	Foot scrubbing apparatus
low	US5724695	Espacenet	15/104.92	Foot brush assembly
high	US5520618	Espacenet	15/104.92	Foot cleaner massager and callus remover
low	US5163200	Espacenet	15/104.92	Foot scrubbing apparatus
moderate	US4918779	Espacenet	15/104.92	Foot spraying and cleaning device
low	US4617917	Espacenet	15/104.92	Foot hygiene device
high	US4532668	Espacenet	15/104.92	Foot scrubber with soap dispenser for user who cannot reach his feet
low	US4520525	Espacenet	15/104.92	Foot brush
moderate	US3973286	Espacenet	15/104.92	Foot cleaning apparatus having soap supply and brushing means

high	US6779218	Espacenet	15/104.92	Apparatus and method for ergonomic basic chiropody
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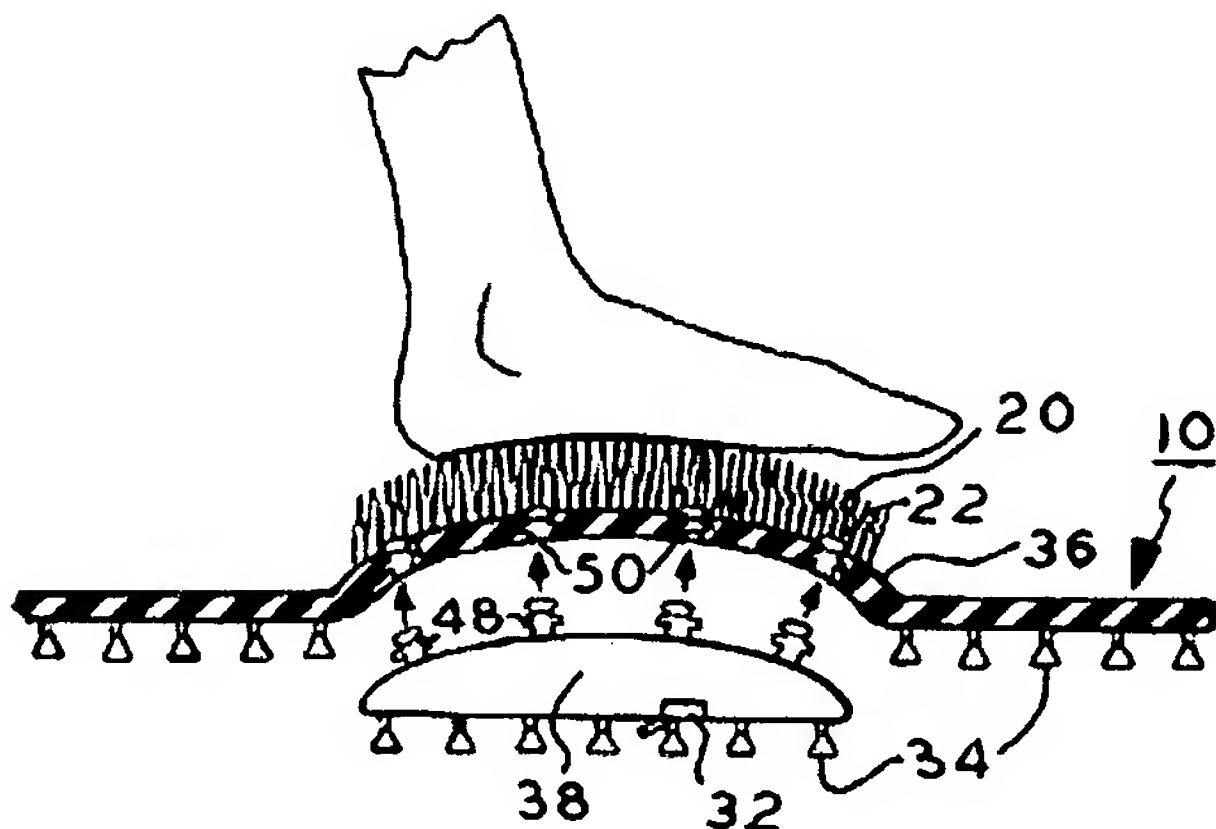
This is a compact apparatus having a soaping device, a scrubbing device and a brushing device. It is configured to be placed on the floor and in the corner between two walls. So that a person operating the device is able to hold his/herself in a stable position with his or her arms perpendicularly pressing against two walls.



Although the function of the device is similar to the disclosure claimed in application 10/605409, the structures are substantially different. For example there are no scrubbing cords. No means to dispense soap onto the scrubbing cords. And the application is a triangular shaped structure.

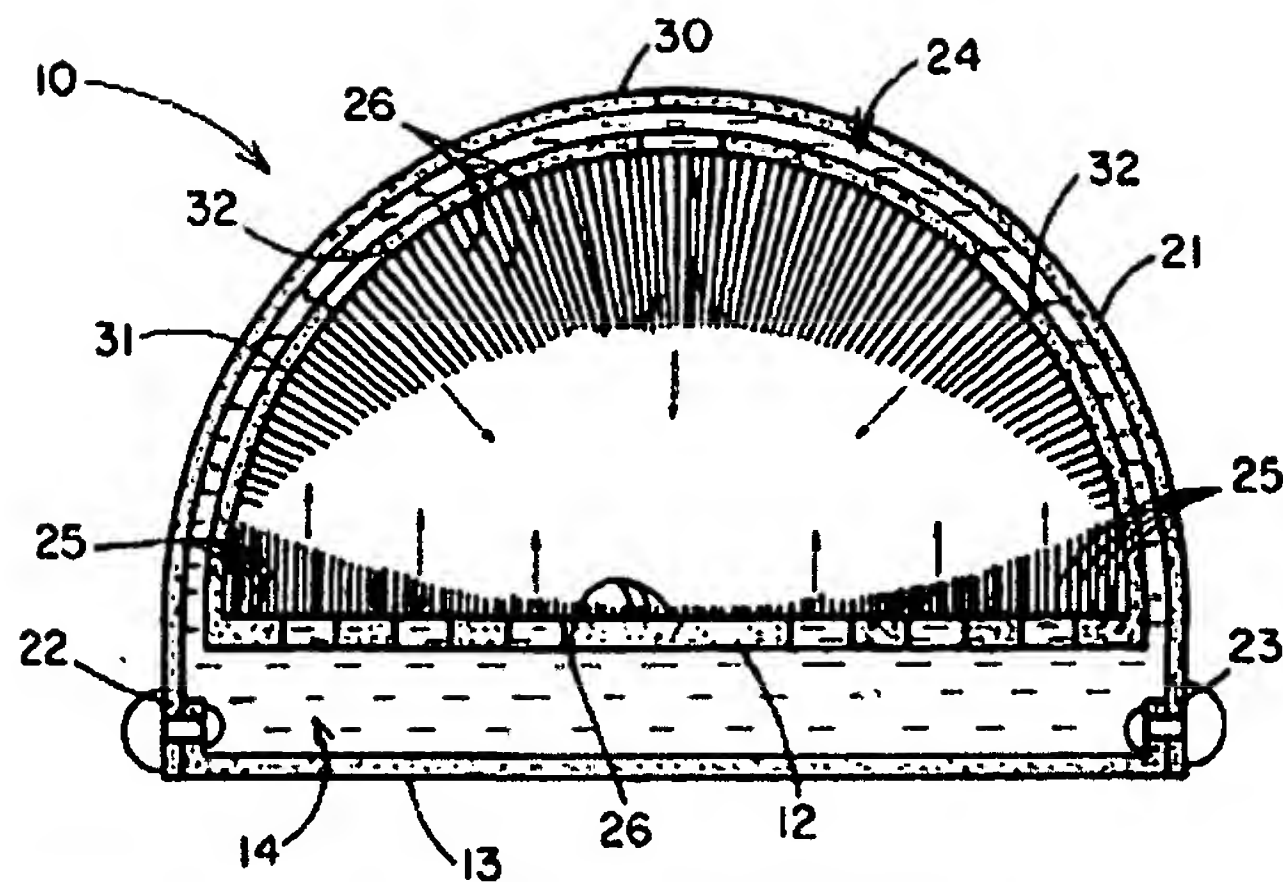
low	US6662398	Espacenet	15/104.92	Hands free foot scrubber
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This patent consists of a raised foot pad that rests on top of an enclosed refillable bladder containing liquid soap. Foot pressure causes soap to be released through pores in the bladder that engage the foot pad. This contains no way to clean between the toes or remove calluses.



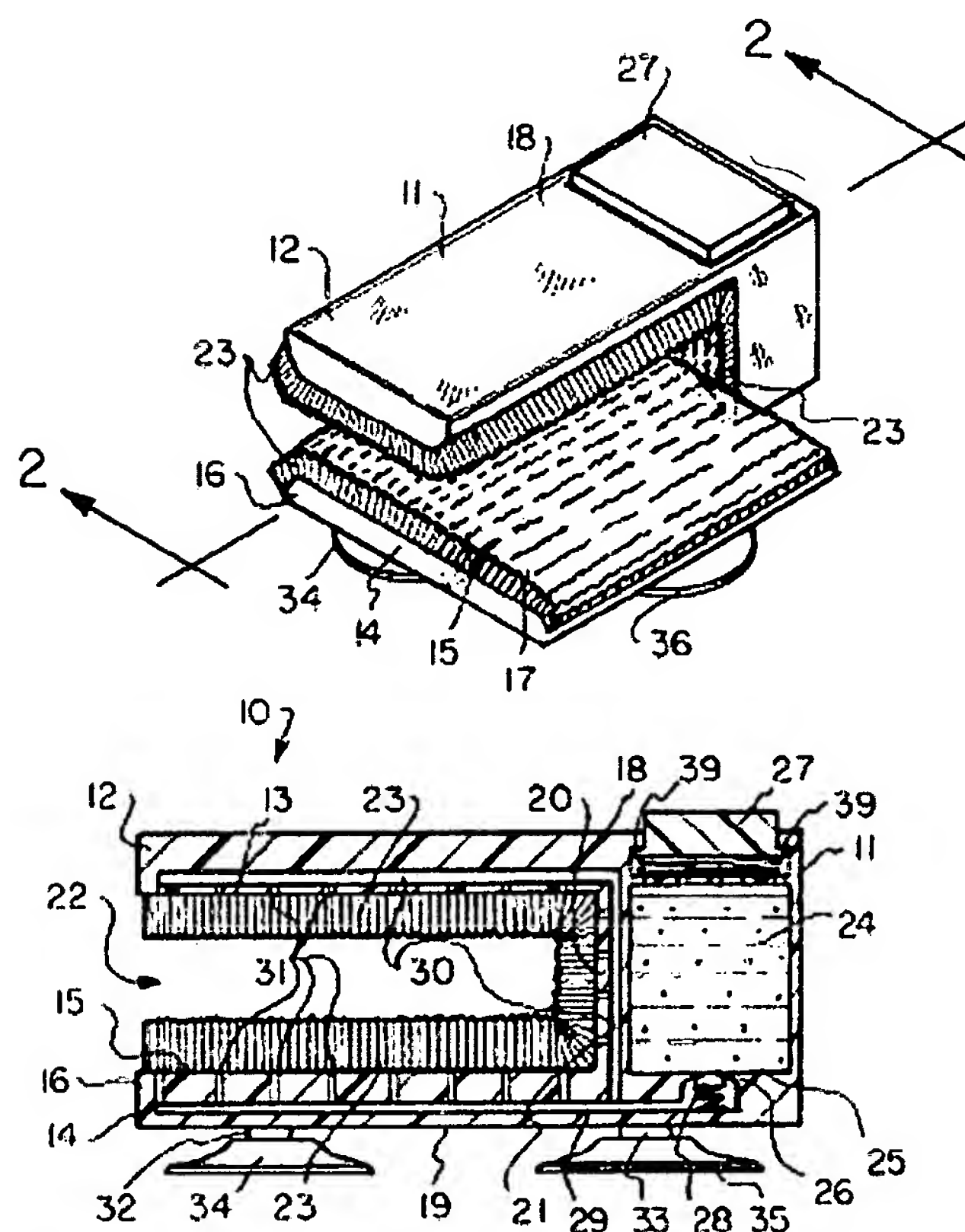
low	US6389631	Espacenet	15/104.92	Foot scrubbing device
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This foot scrubbing device is designed to be used in the shower or bathtub. It has a top wall and bottom wall that includes a plurality of bristles being disposed upon the top wall and bottom wall.



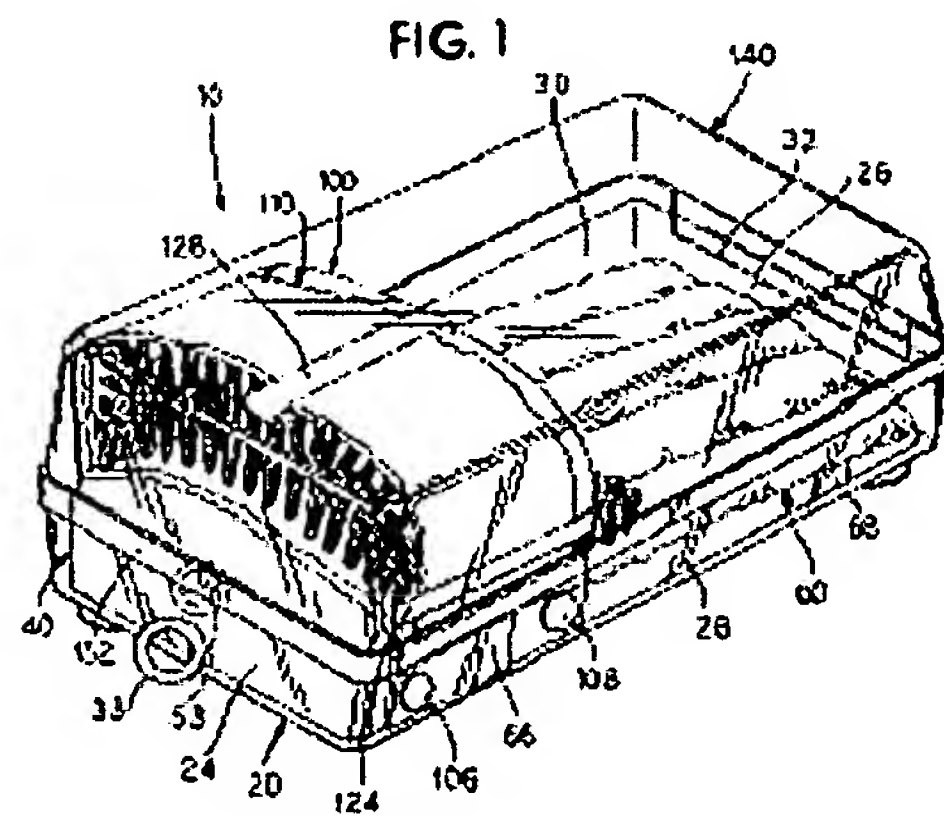
moderate US6223379 Espacenet 15/104.92 Foot cleaner device

This apparatus is designed to clean the foot easily. The bottom side includes suction cup members for detachably attaching to the floor of the show shower stall or bathtub. It contains a compartment for liquid soap. There is no way to clean the space between the toes, however.



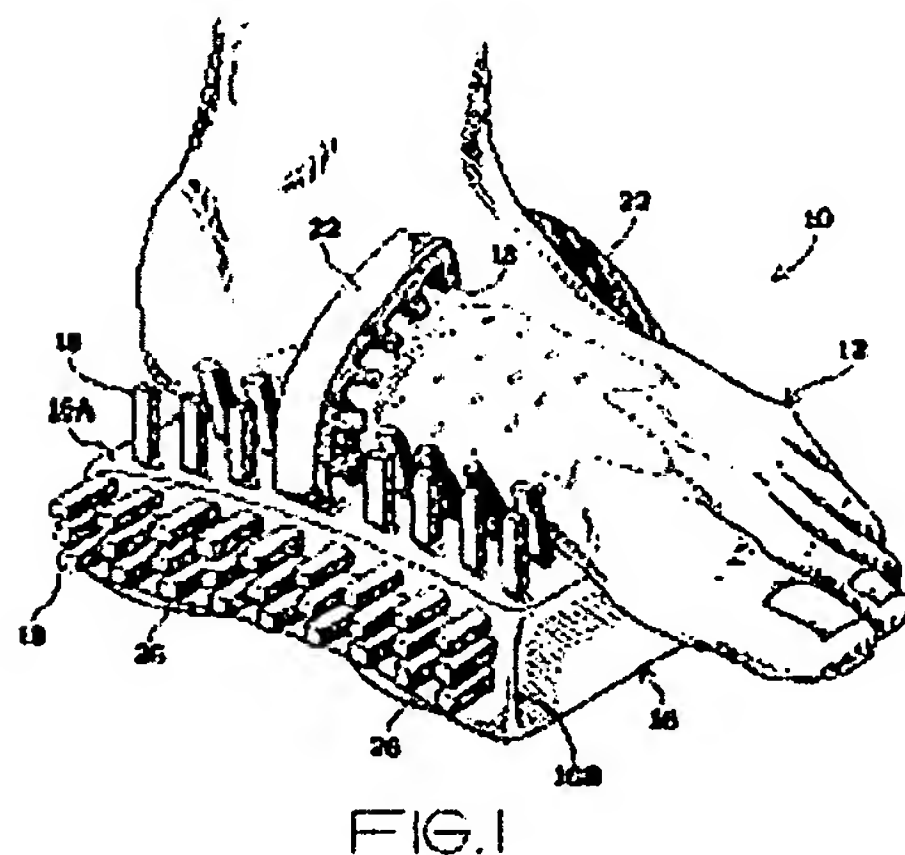
moderate US5996163 Espacenet 15/104.92 Foot brush assembly

This patent consists of a foot brush assembly where the foot is rubbed against the surface of the base pad and a brush thereon for massaging or cleaning the bottom of the foot. The bridge brush is secured over the brush on the base pad to define a foot receiving cavity for massaging or cleaning the top and sides of the foot.



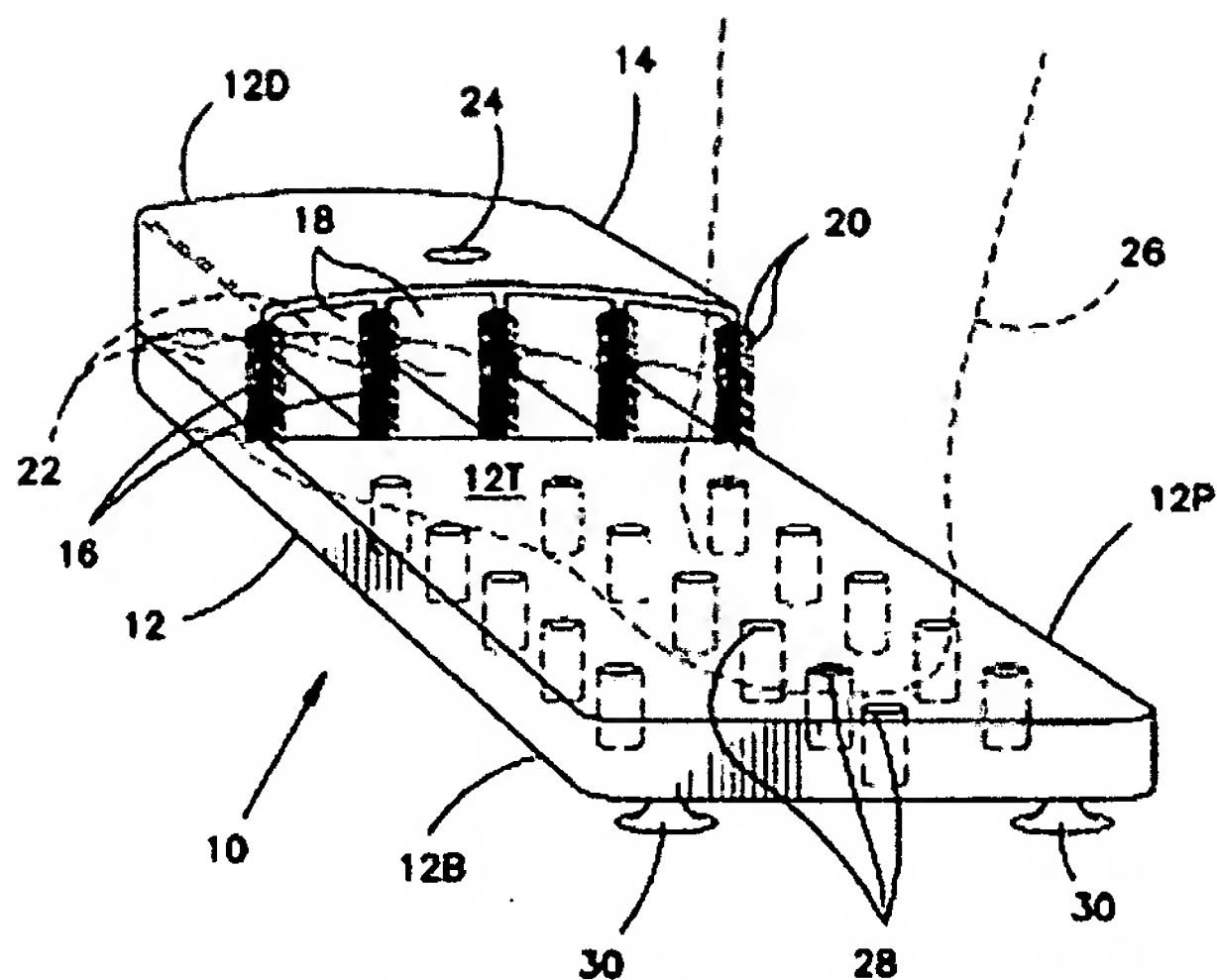
low US5983433 Espacenet 15/104.92 Foot cleaning device

This device is designed to be used in a bathing chamber to wash the feet. The bristles are provided on the wall surfaces of the reservoir and scrubbing arcs may further be included to assist cleaning and scrubbing of a foot of the user.



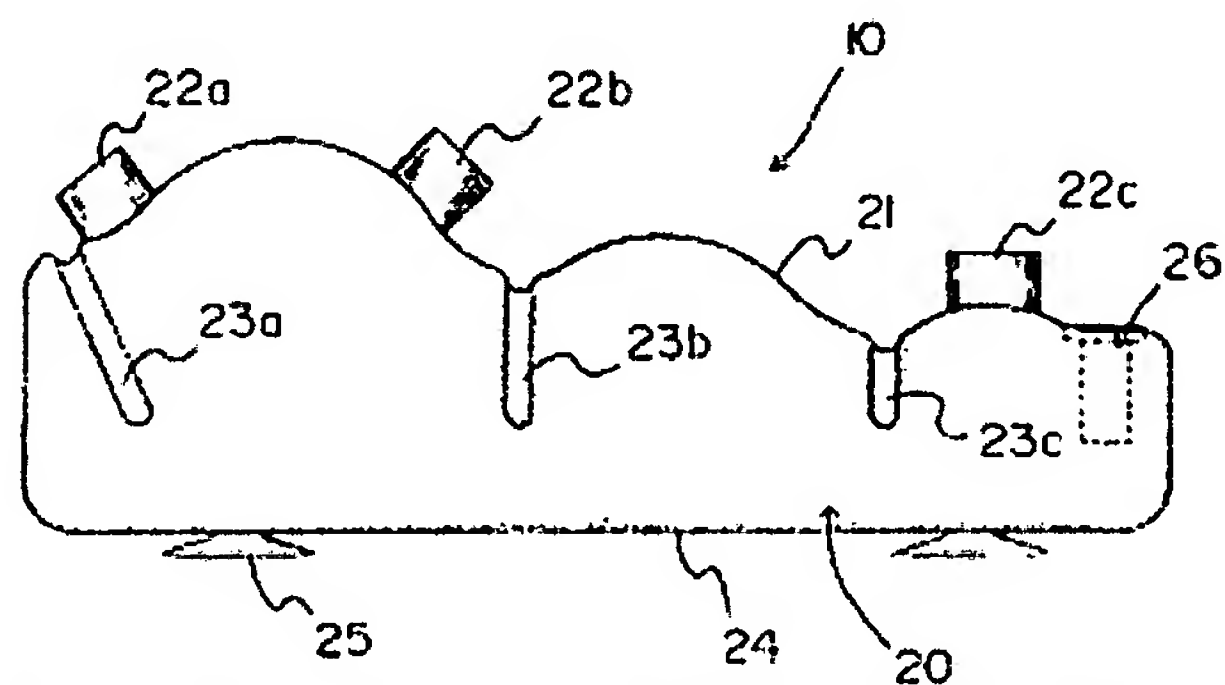
low US5813078 Espacenet 15/104.92 Shower foot washer

This shower foot washer is designed to stick to the floor using suction cups. The foot is washed by stepping onto the device where the brush extensions that protrude from the vertical partitions are used to cleaning the foot and toes. The bores are allowed for water and soap to drain through the shower foot washer.



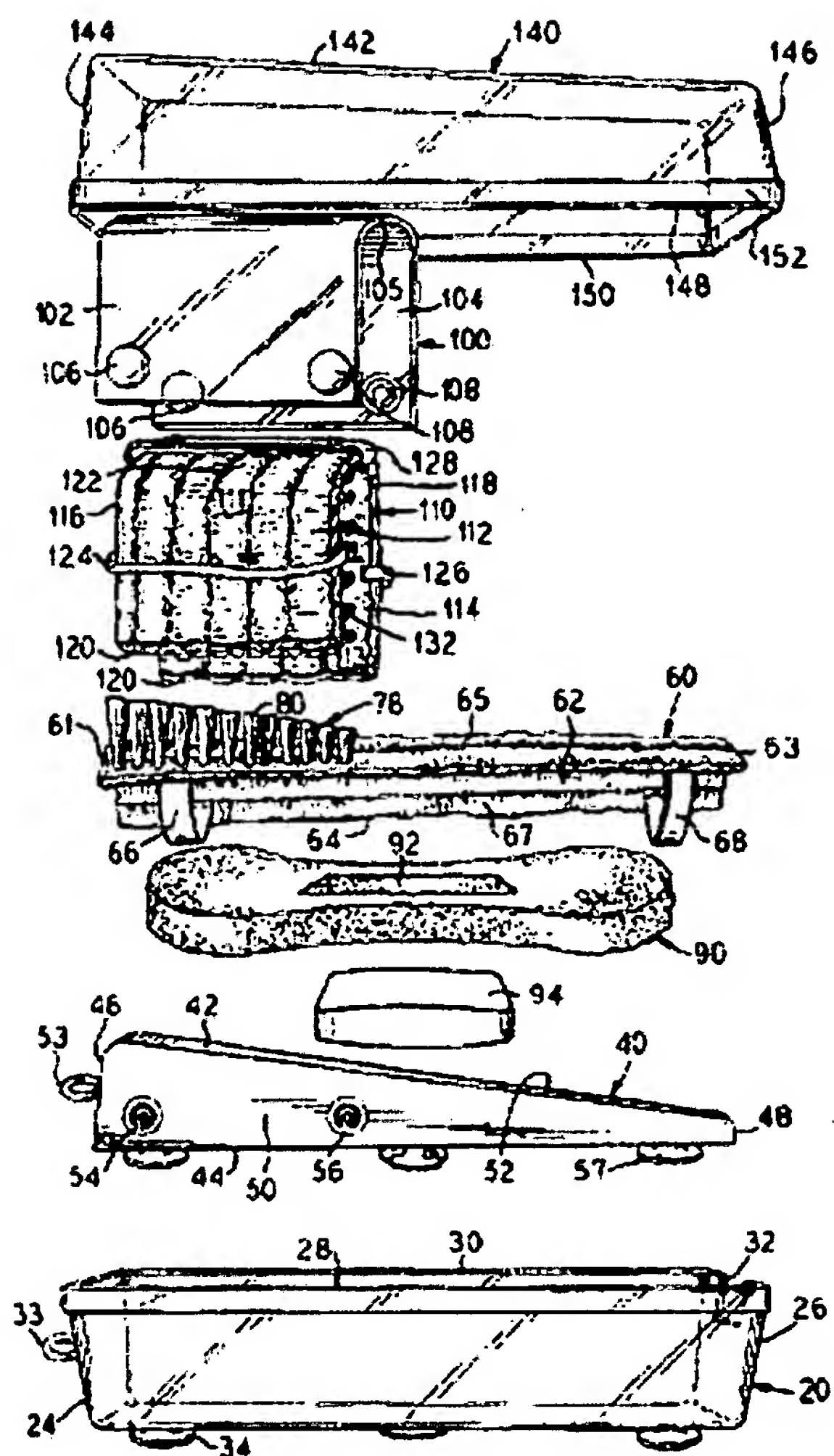
low US5758381 Espacenet 15/104.92 Foot scrubbing apparatus

This foot scrubbing apparatus is used for cleaning and scrubbing feet and hands. The upper contoured surface consists of a plurality of bristles secured to the upper surface. It also contains suction cups used to attach the apparatus to a surface.



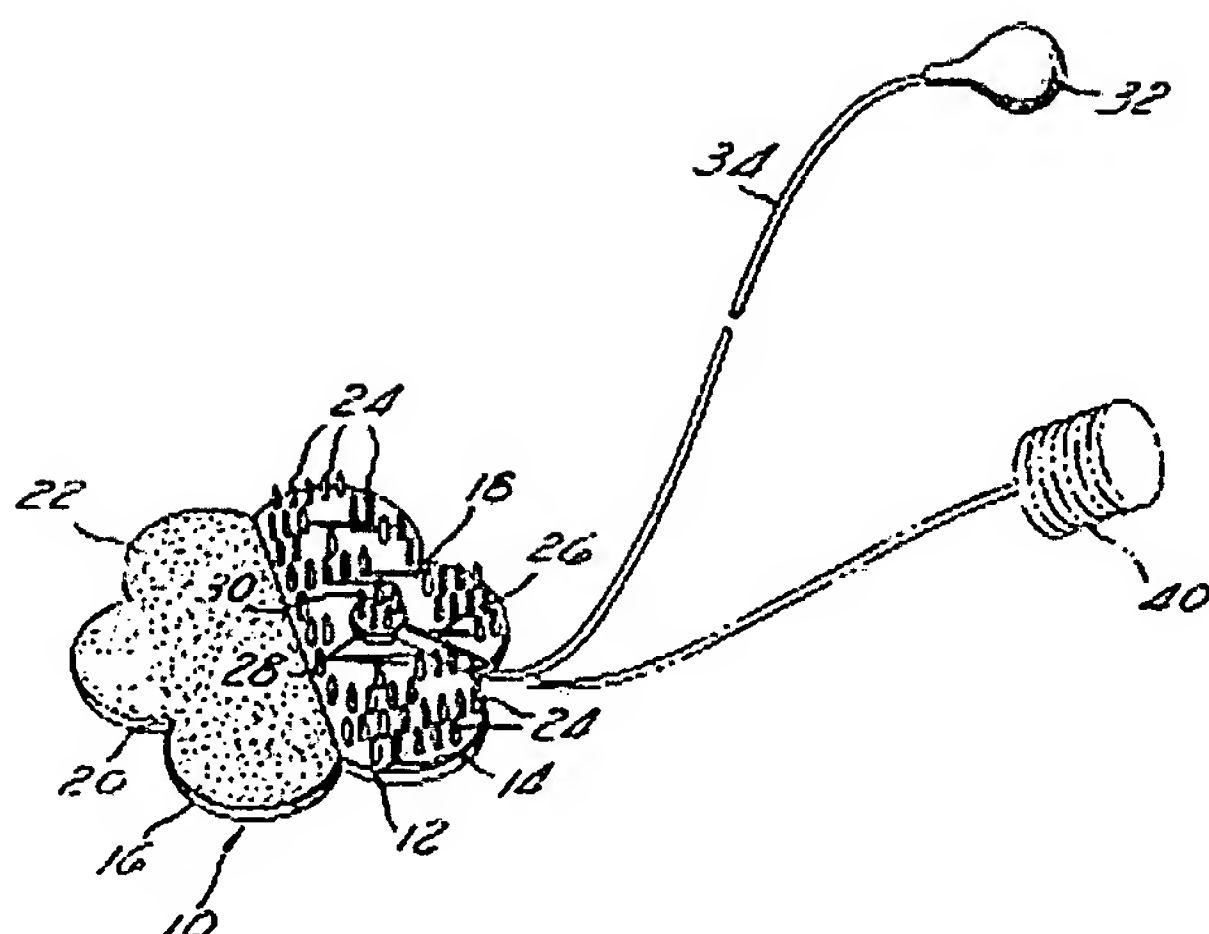
low US5724695 Espacenet 15/104.92 Foot brush assembly

This apparatus is designed to scrub the foot. It contains a fitting for a sponge and bar of soap that is disposed between the base member and loofa based for latering the foot during used. A bridge member is removably secured over the tope of the base member and defines a foot receiving cavity.



high US5520618 Espacenet 15/104.92 Foot cleaner massager and callus remover

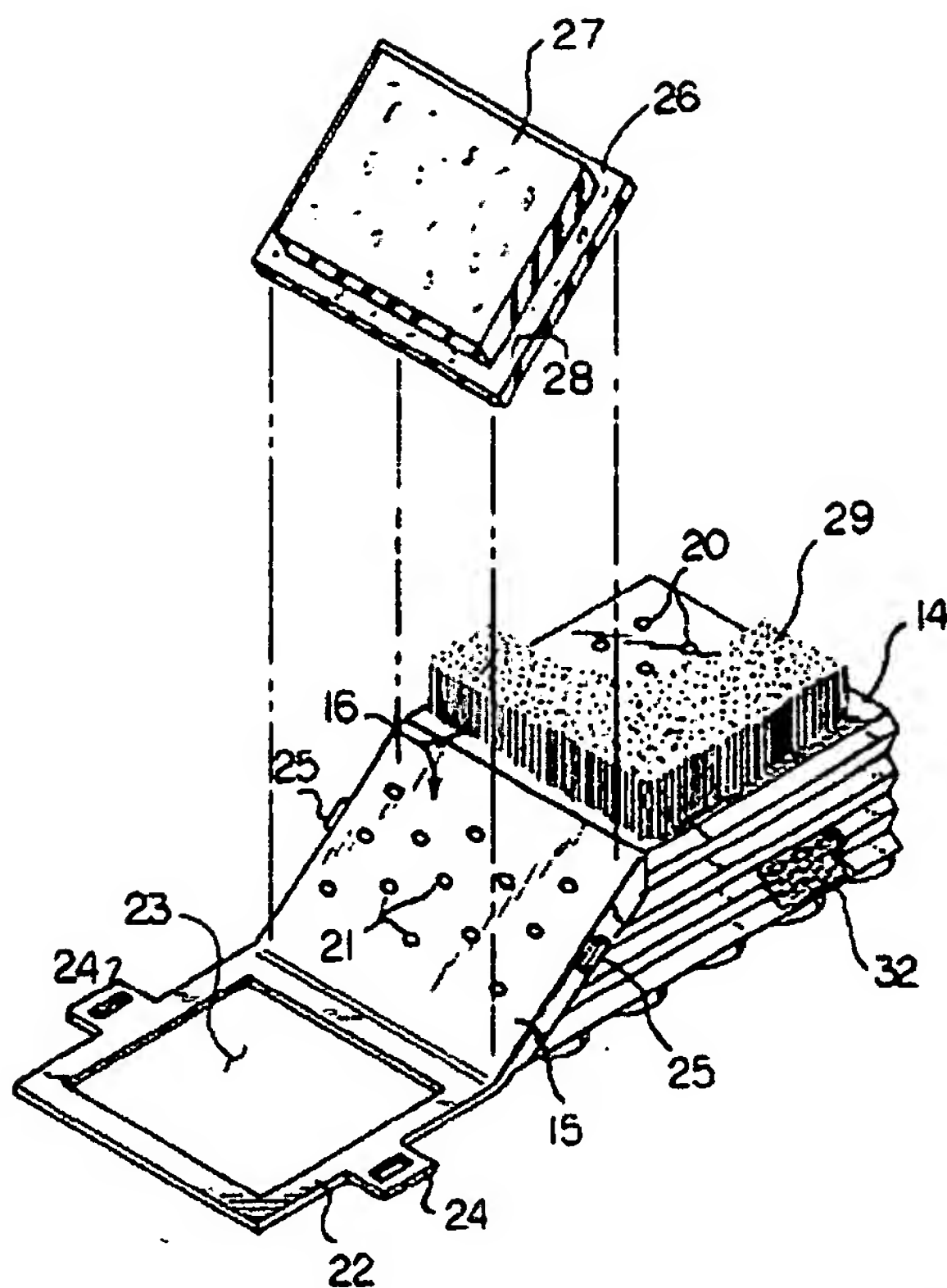
This apparatus is designed to clean, massage and remove calluses from the foot. It includes a base with an upper platform surface having a plurality of upstanding frusto-conical protuberance of uniform height and includes a passageway through which a liquid detergent may be dispensed. It also contains an abrasive surface for removing calluses from the foot.



This is different from the 10/605409 application in that the structure is entirely different. Also the way the soap is dispensed is by hand in the patent whereas the 10/605409 disclosure dispenses soap using the foot.

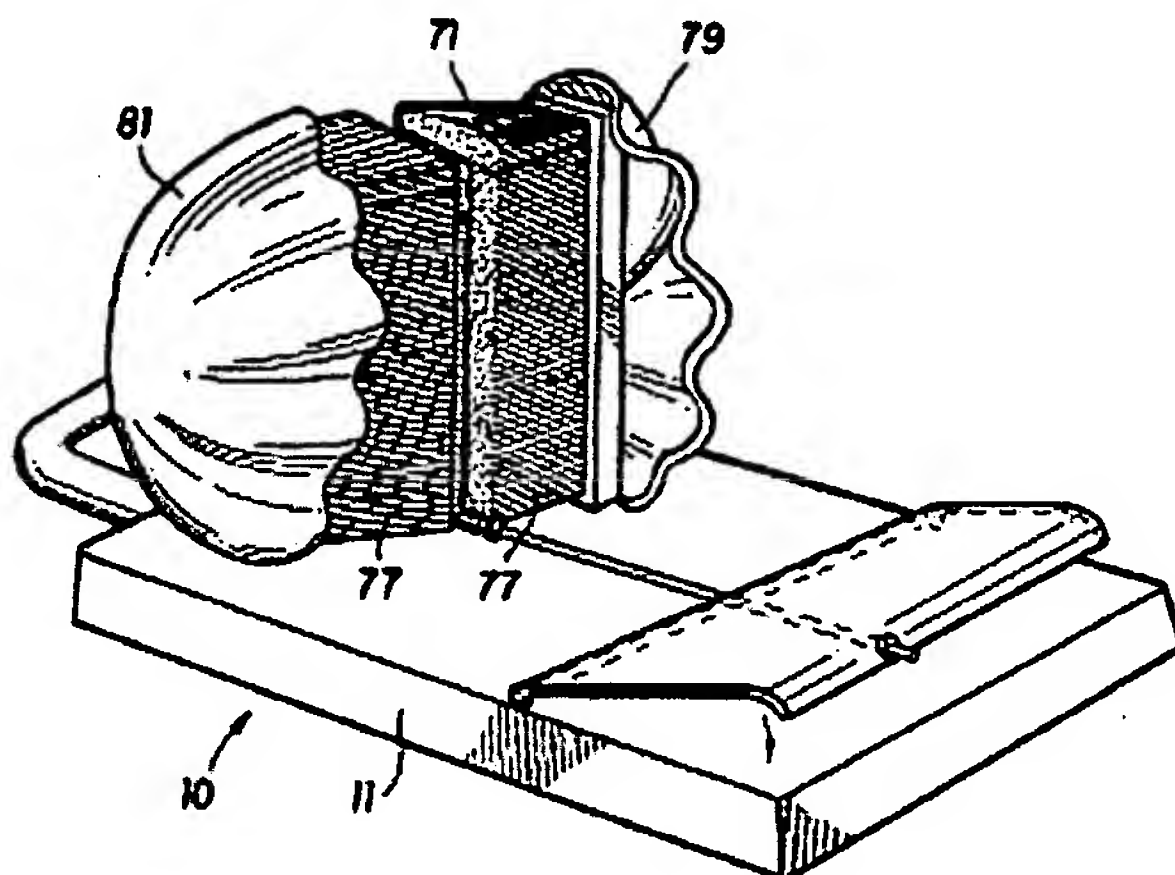
low	US5163200	Espacenet	15/104.92	Foot scrubbing apparatus
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This device consists of a rigid floor including a matrix of suction cups used to hold it in place. The first top wall includes a matrix of bristles and the second top wall includes a replaceable sponge member. Compression of the housing projects cleaning fluid and/or a lotion compound through the communicating apertures in the first and second top walls.



moderate US4918779 Espacenet 15/104.92 Foot spraying and cleaning device

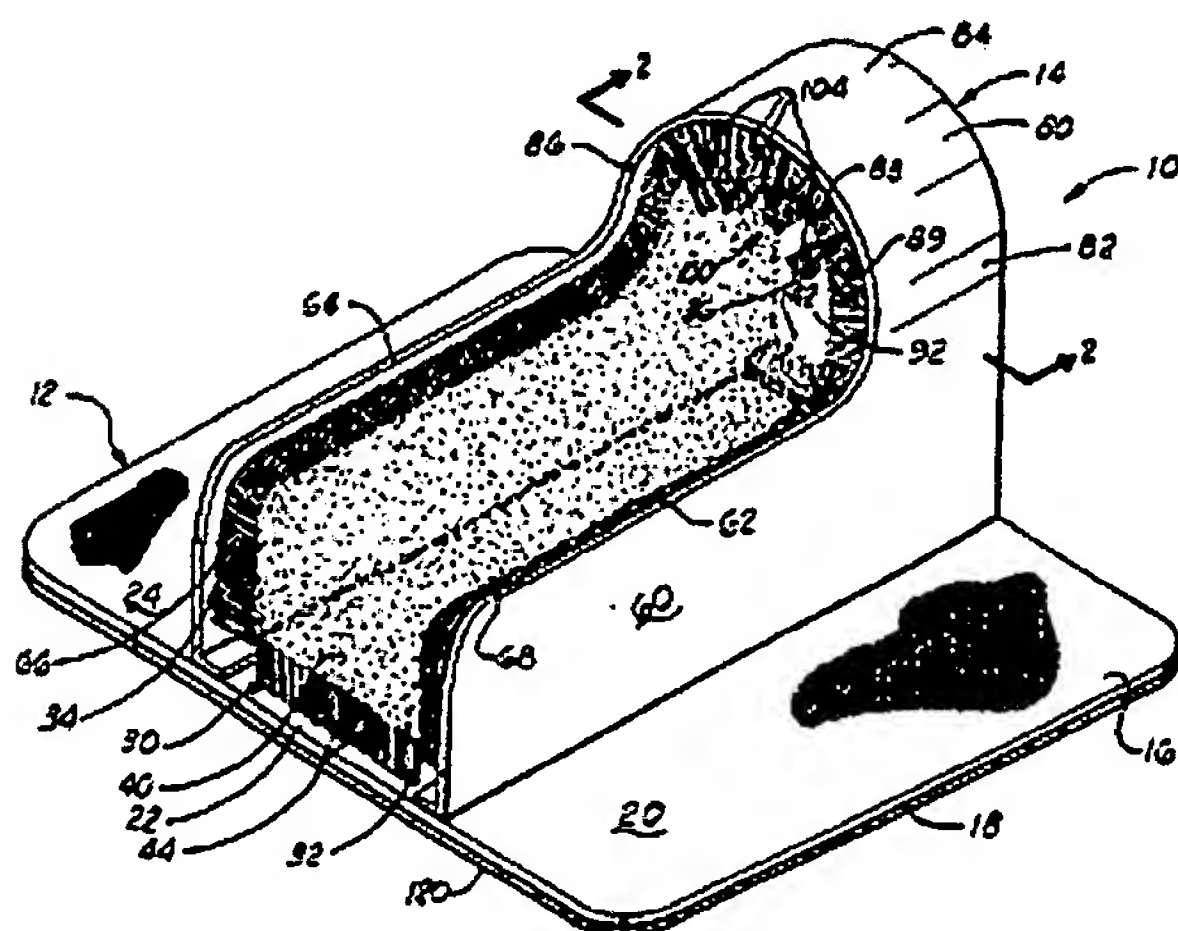
This patent is a device that consists of a foot-controlled spray with brushes. In this device, the spray and brush comes from a horizontal position where the spray flows through the brush. Soap is dispensed by using the feet.



This foot washer is substantially different that the device claimed in the 10/605409 application. It does not contain scrubbing cords for example and the soap is dispensed from the sides.

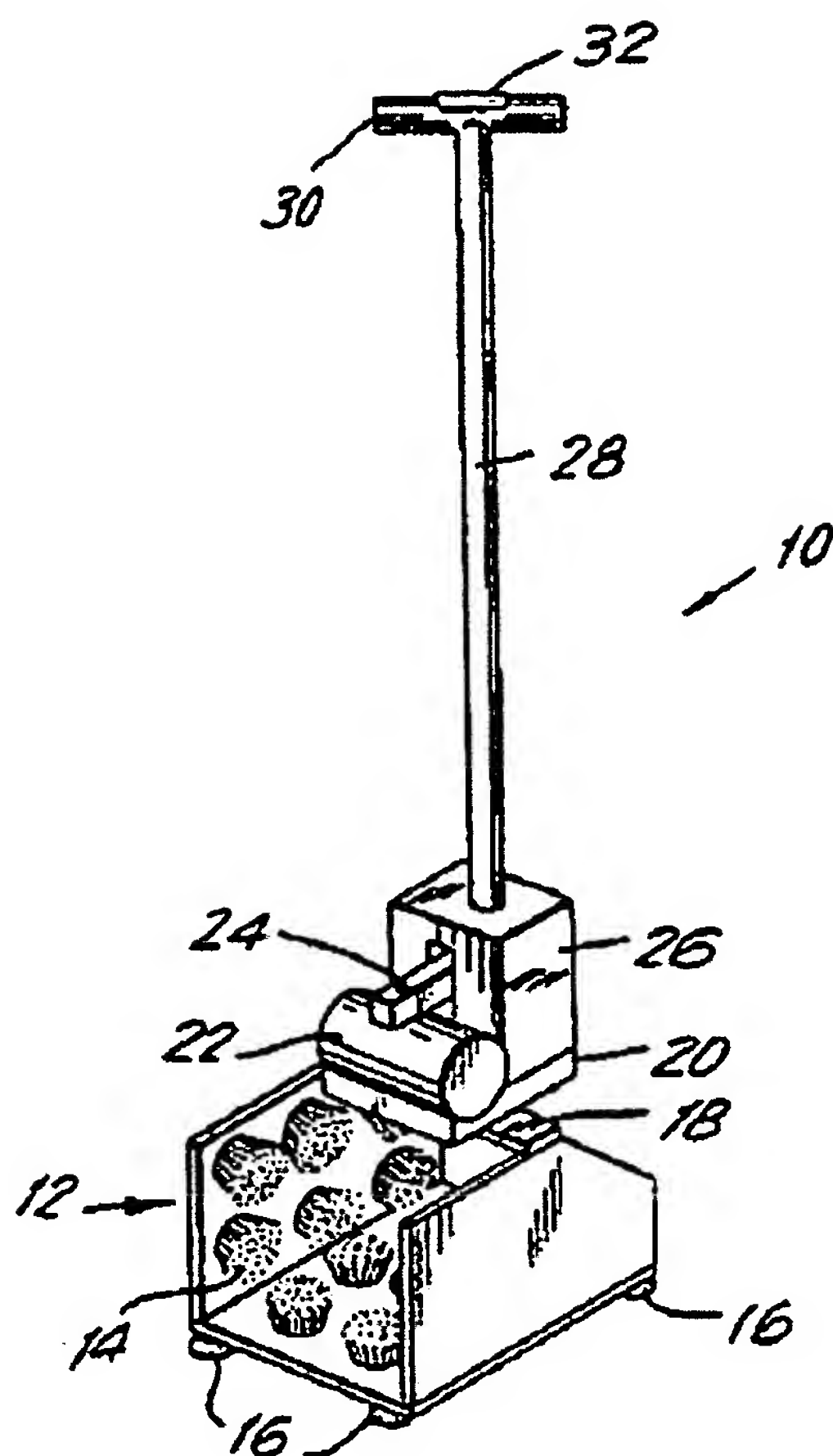
low	US4617917	Espacenet	15/104.92	Foot hygiene device
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This patent discloses a foot hygiene device that comprises a foundation member that fits around the foot. Brushes are available to scrub all sides of the foot except the toes.



high	US4532668	Espacenet	15/104.92	Foot scrubber with soap dispenser for user who cannot reach his feet
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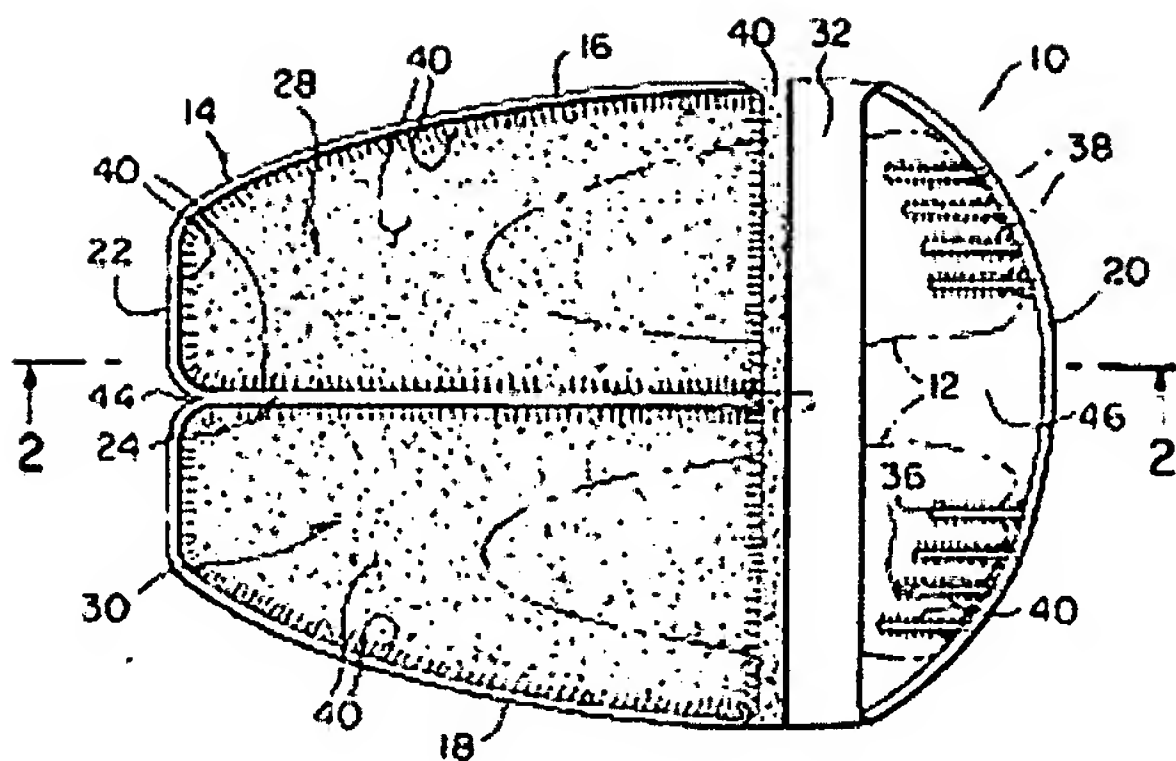
This is a foot scrubber comprising a housing and brushing connected to the inside of the housing. Liquid soap is dispensed by emitting downward force on the handle. The apparatus is connected to the floor by means of suction cups.



This is different from the 10/605409 application since the application discloses scrubbing using scrubbing cords and soap dispensing is done by the foot when emitting downward force on the scrubbing cords. The overstructure of the device is different as well.

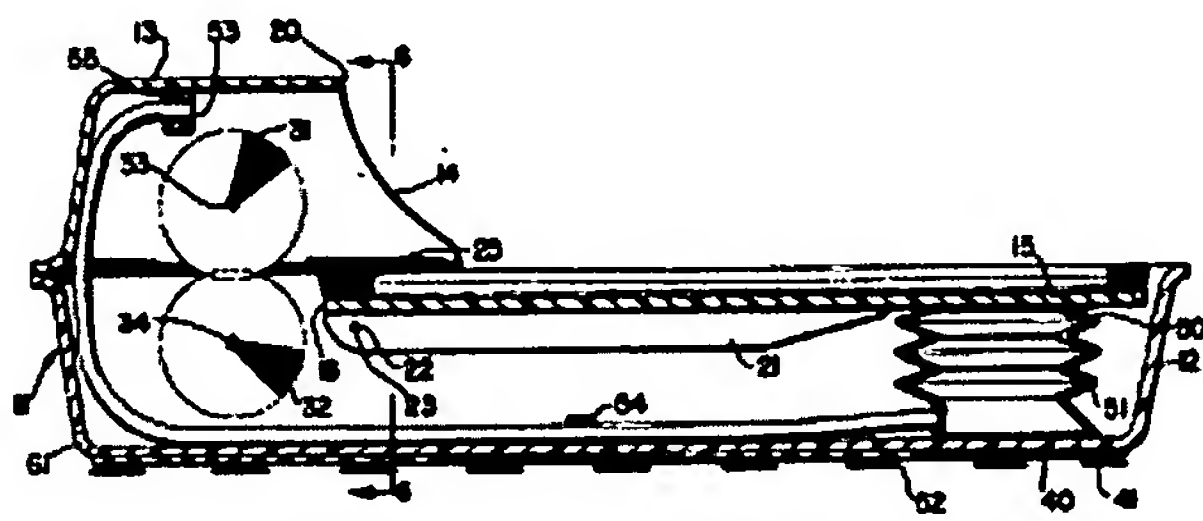
low	US4520525	Espacenet	15/104.92	Foot brush
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This is an oblong receptacle for brushing and bathing feet. One feature is brushes that clean between the toes. This is a completely different structure that does not contain scrubbing cords or a means to dispense soap onto the scrubbing cords.



moderate	US3973286	Espacenet	15/104.92	Foot cleaning apparatus having soap supply and brushing means
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Here the foot is washed by being placed on a treadle. This causes soap to be released and rotatable brushes. The brushes are positioned so that the toes of the foot can be cleaned. This is designed to clean the toes of the feet.



The 10/605409 application is designed to wash the entire foot. This design is significantly different and more suitable for this application.

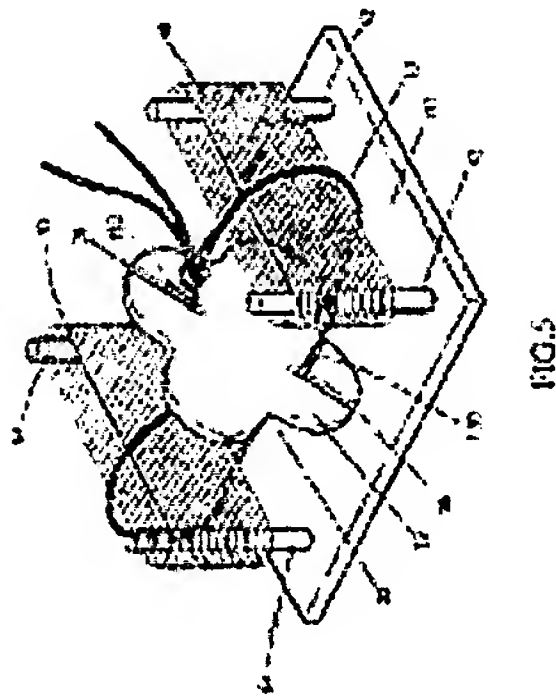


Search Results - Class 15 Subclass 210.1

Relevance	Patent ID (link to summary)	Espacenet	Title
low	US6839931	Espacenet	Bathing brush with double cleaning balls
low	US6510577	Espacenet	Mesh sponge with loofah
medium	US5444888	Espacenet	Foot cleaning apparatus
low	US5205012	Espacenet	Cleaning tool

low	US6839931	Espacenet	Bathing brush with double cleaning balls
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This bathing brush works by using two balls composed of net tubes. Unlike 10/605409 application, there are no scrubbing cords, it is does not have a triangular structure and their are no scrubbing mats.



low	US6510577	Espacenet	Mesh sponge with loofah
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This device is not designed to wash the between the toes or designed to remove callus.

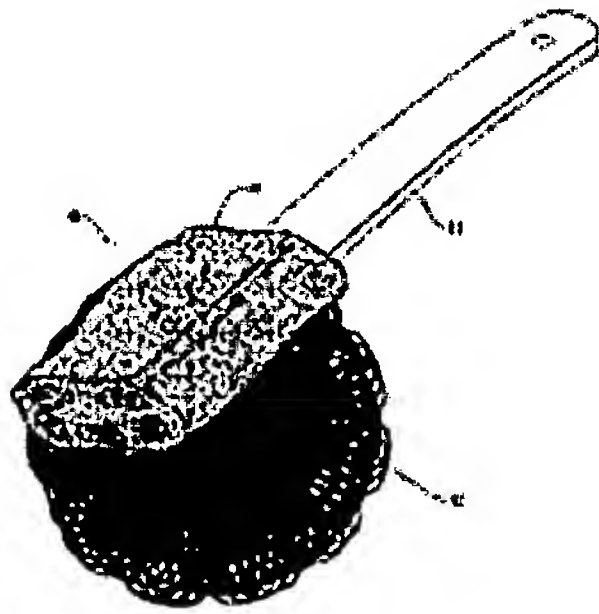
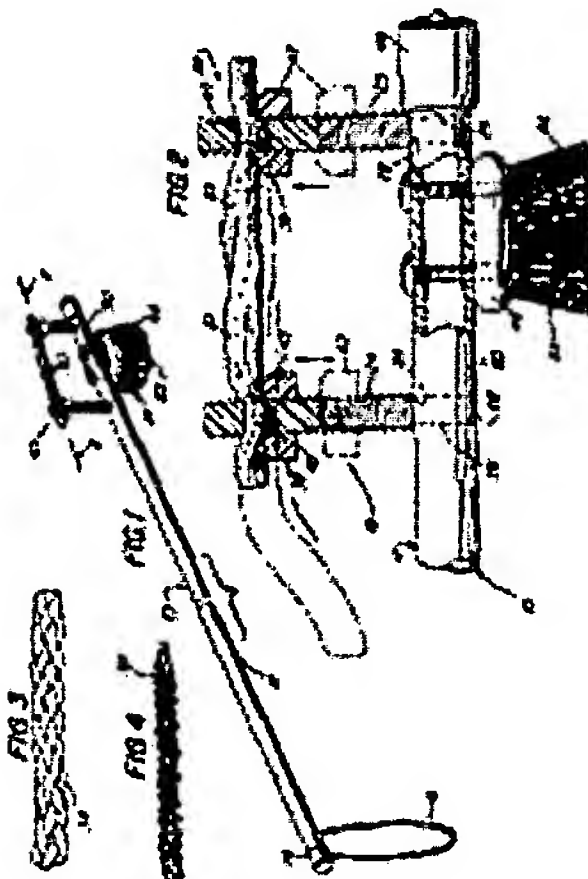


FIG. 11

medium	US5444888	Espacenet	Foot cleaning apparatus
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Like the 10/605409 application, this device is a foot-and-toe cleaning apparatus. This structure consists of an extended arm that contains a cleaning element. The 10/605409 application is a self supporting triangular structure contains multiple scrubbing cords.



low	US5205012	Espacenet	Cleaning tool
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This device is not designed to wash the between the toes or designed to remove callus.

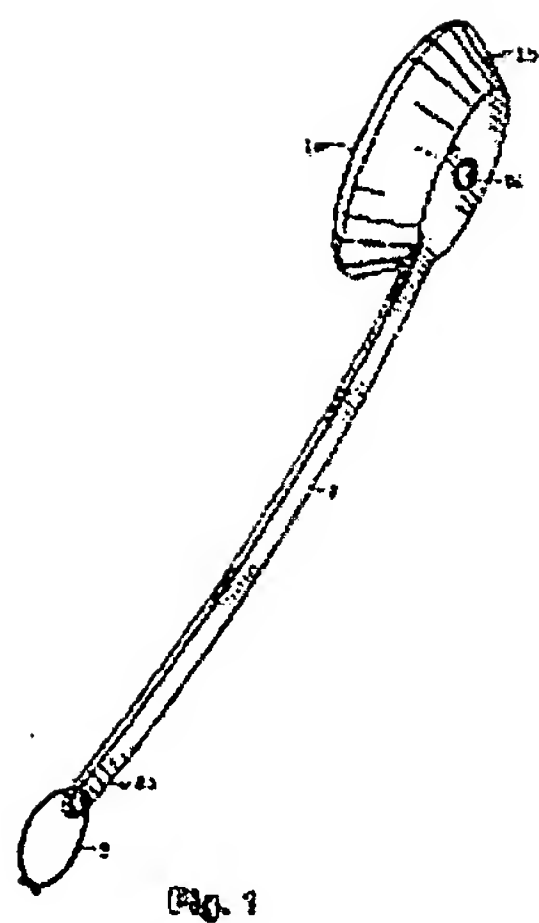


Fig. 1

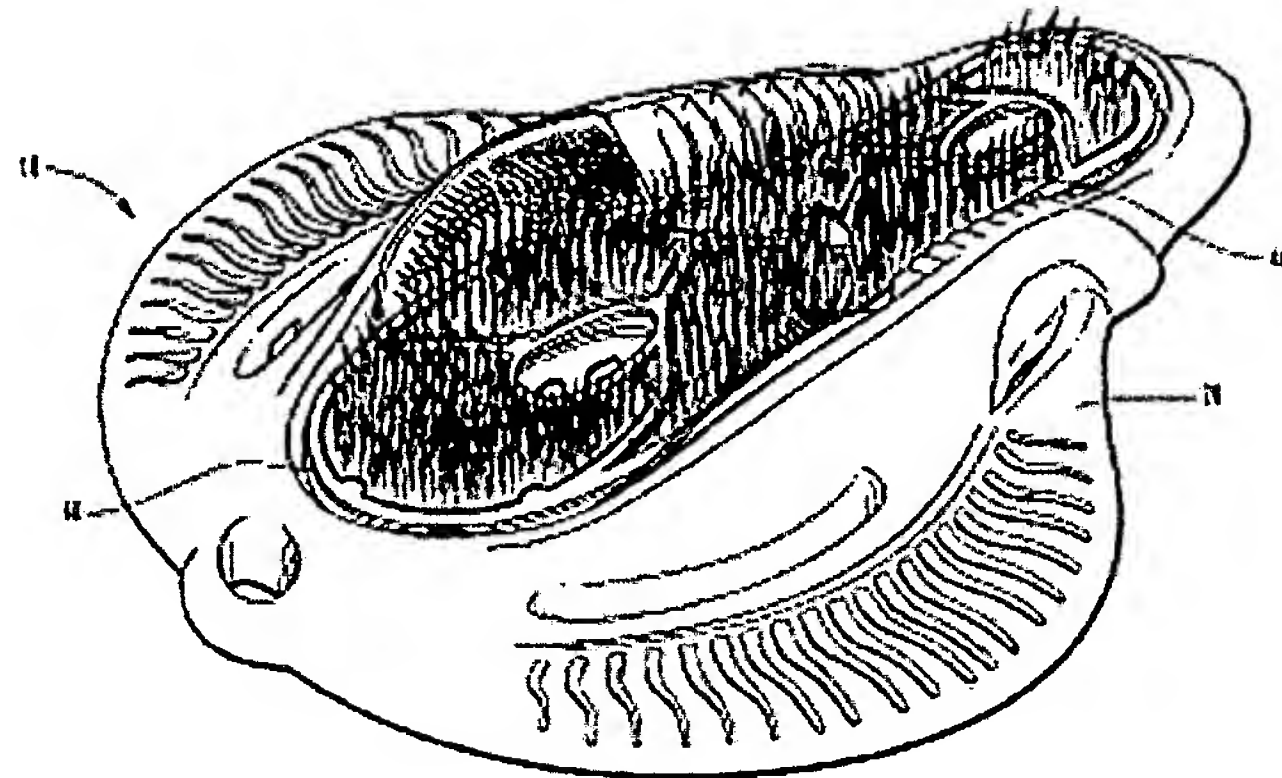
Search Results - Class 4 SubClass 606

Relevance	Patent ID (link to summary)	Espacenet	Title
medium	US6684444	US6684444	Foot scrubbing and massaging device
low	US6662398	US6662398	Hands free foot scrubber
low	US6405400	US6405400	Personal foot scrubber
medium	US6253407	US6253407	Foot scrubber
> low	US6226811	US6226811	Epidermal scrubbing device
low	US5983433	US5983433	Foot cleaning device
low	US5813078	US5813078	Shower foot washer
low	US5758381	US5758381	Foot scrubbing apparatus
low	US5729858	US5729858	Foot scrubbing system
low	US5575034	US5575034	Foot cleaning and massaging mat system
low	US5321867	US5321867	Foot washing apparatus
low	US5321867	US4918779	Foot spraying and cleaning device
low	US4003372	US4003372	Foot washing and massaging device

medium	US6684444	US6684444	Foot scrubbing and massaging device
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This is both a foot scrubber and massager. The scrubber is based on a base module that defines a foot shaped recess. The scrubbing principle of the 10/605409 application involves using

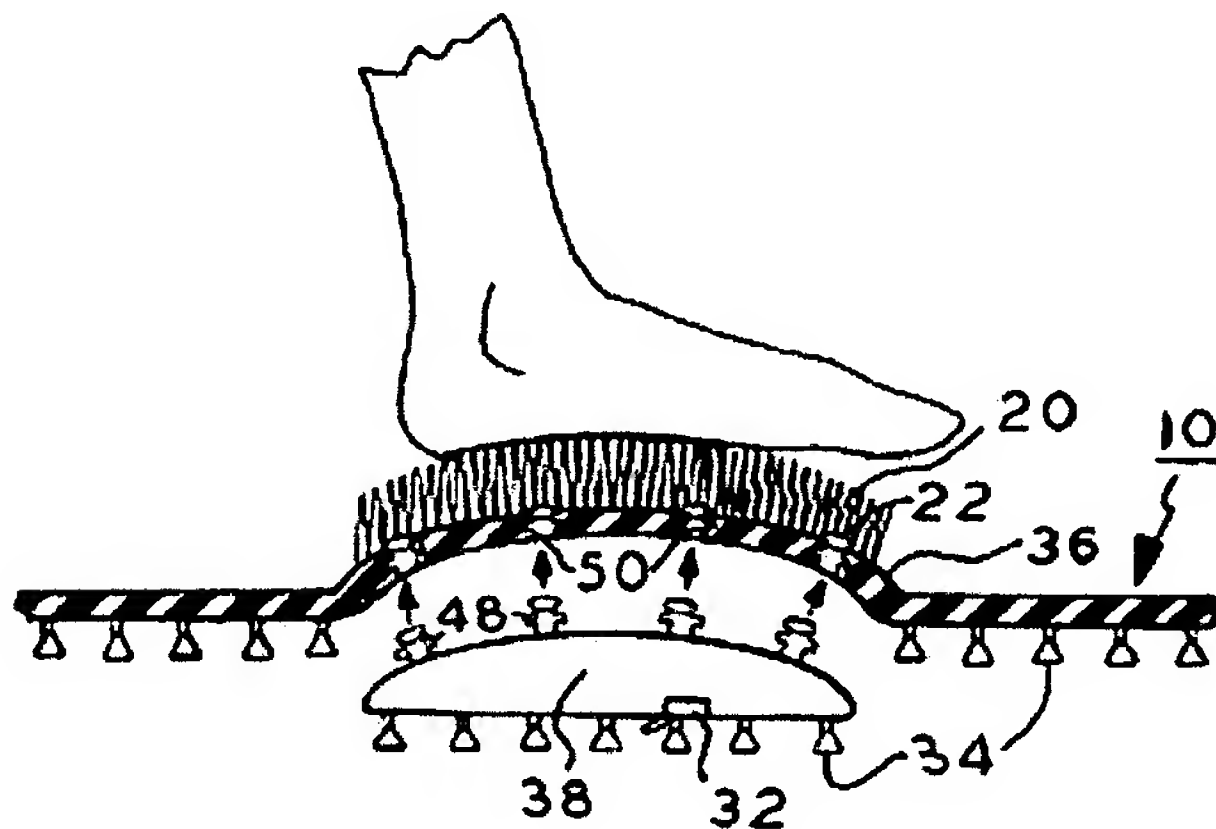
scrubbing cords and mats. Further the 10/605409 application is not designed to be a foot



massaging device.

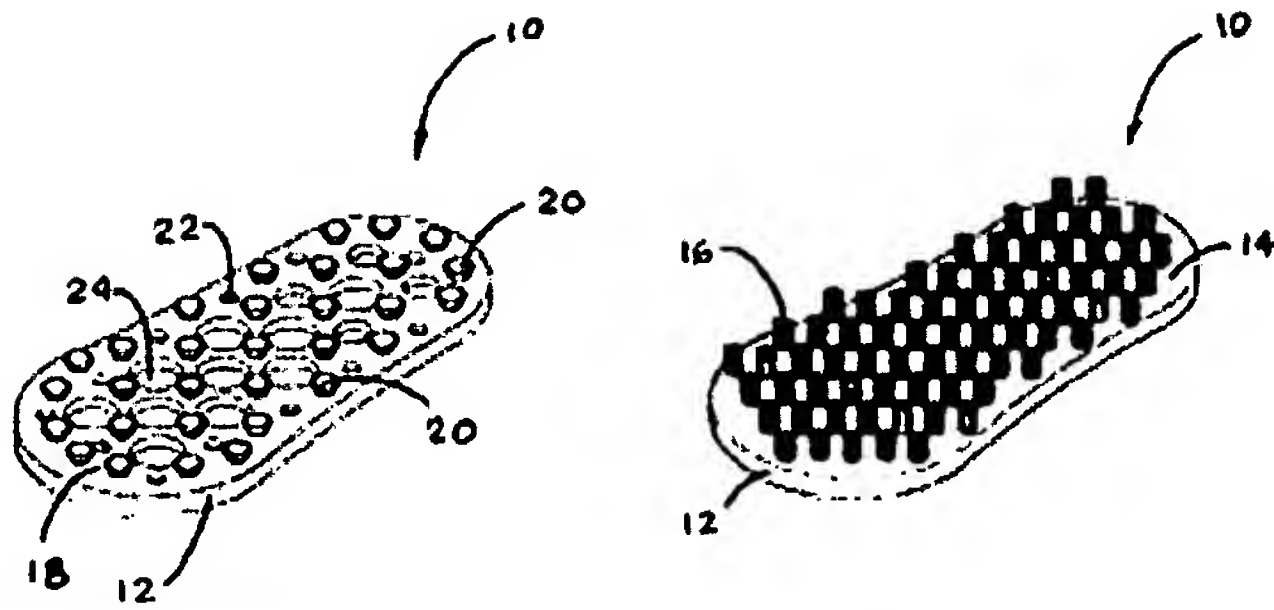
low	US6662398	US6662398	Hands free foot scrubber
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This patent consists of a raised foot pad that rests on top of an enclosed refillable bladder containing liquid soap. Foot pressure causes soap to be released through pores in the bladder that engage the foot pad. This contains no way to clean between the toes or remove calluses.



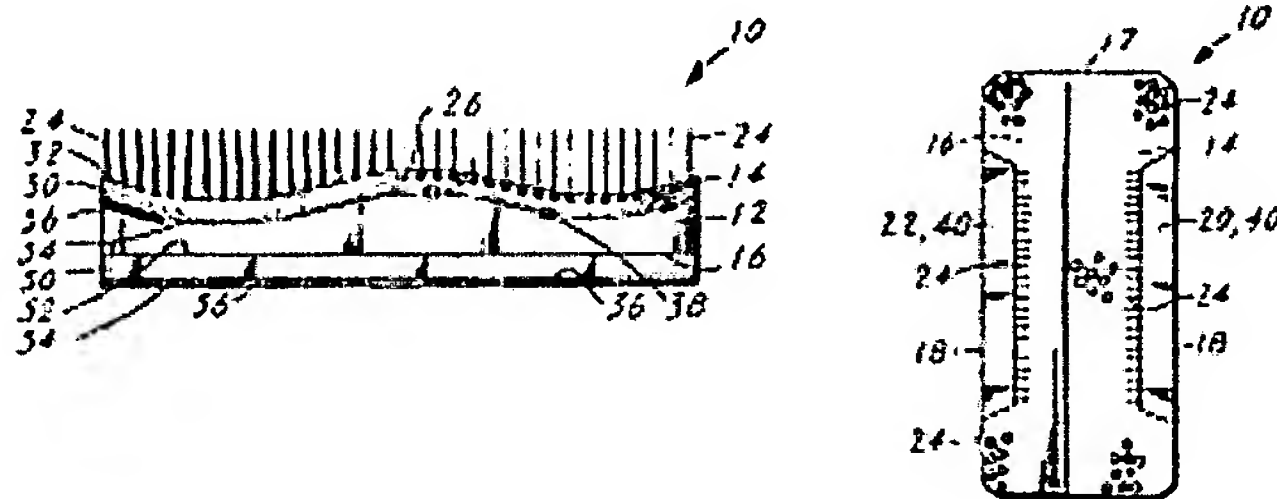
low	US6405400	US6405400	Personal foot scrubber
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This is a foot scrubber that is a one piece construction. With this design its very difficult to clean between the toes. The 10/605409 application is a multiple piece construction. It has scrubbing cords used to scrub regions between the toes.



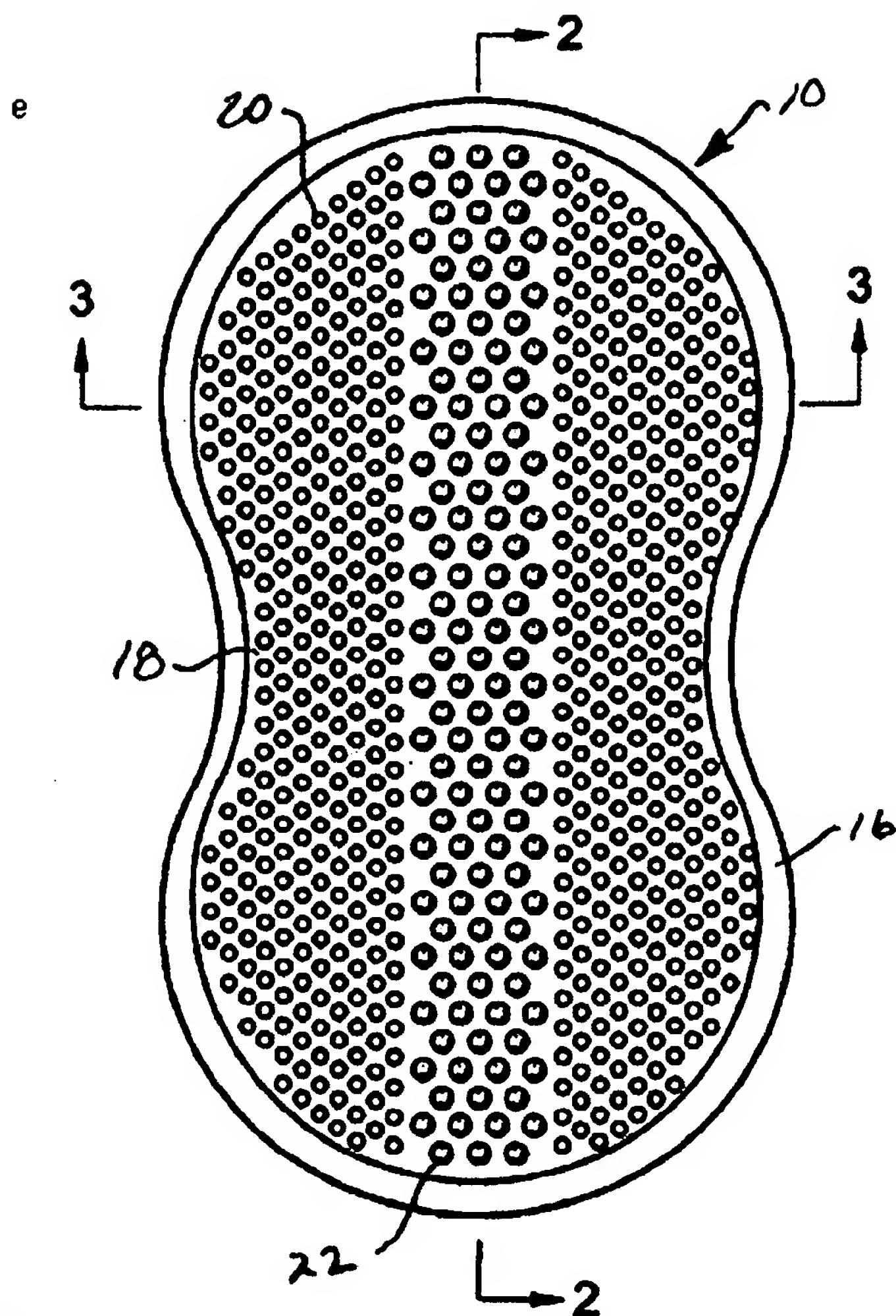
medium	US6253407	US6253407	Foot scrubber
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This is a foot scrubber but does not contain scrubbing cords. Also to use this scrubber soap is applied by the user. The 10/605409 application soap is applied by means of a soap dispenser that resides on top of the scrubbing cord.



low	US6226811	US6226811	Epidermal scrubbing device
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This is designed to wash the body. It is intended to be placed on the wall by means of suction cups. The 10/605409 application resided on the floor.



low US5983433 US5983433 Foot cleaning device

This device is designed to be used in a bathing chamber to wash the feet. The bristles are provided on the wall surfaces of the reservoir and scrubbing arcs may further be included to assist cleaning and scrubbing of a foot of the user.

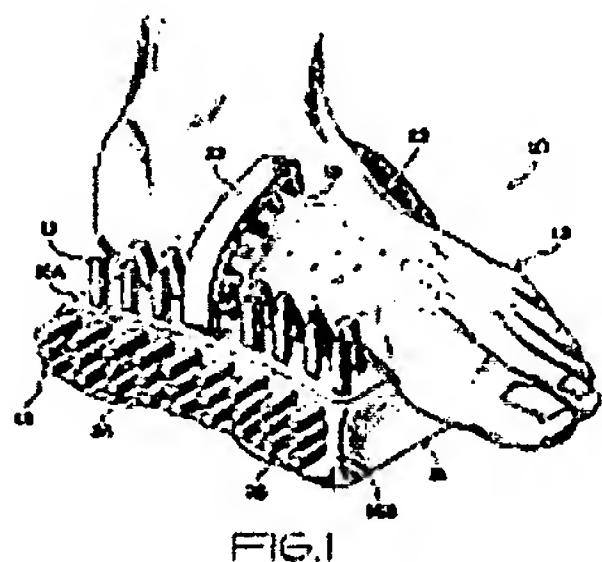
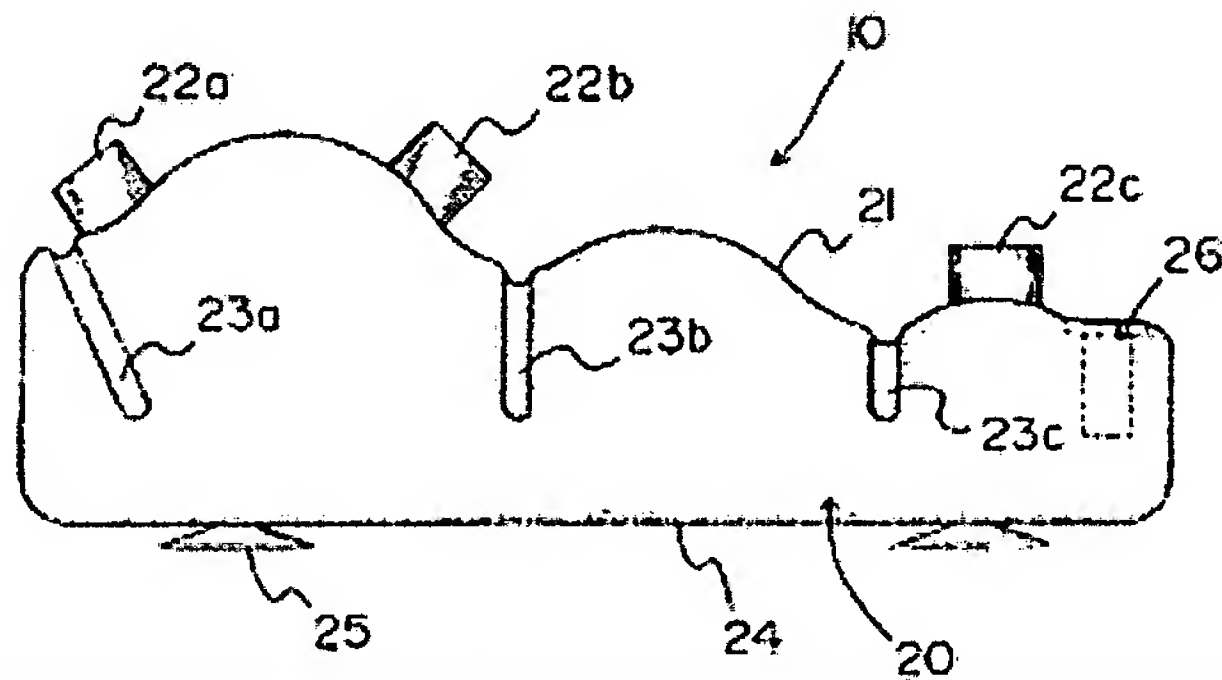


FIG. 1

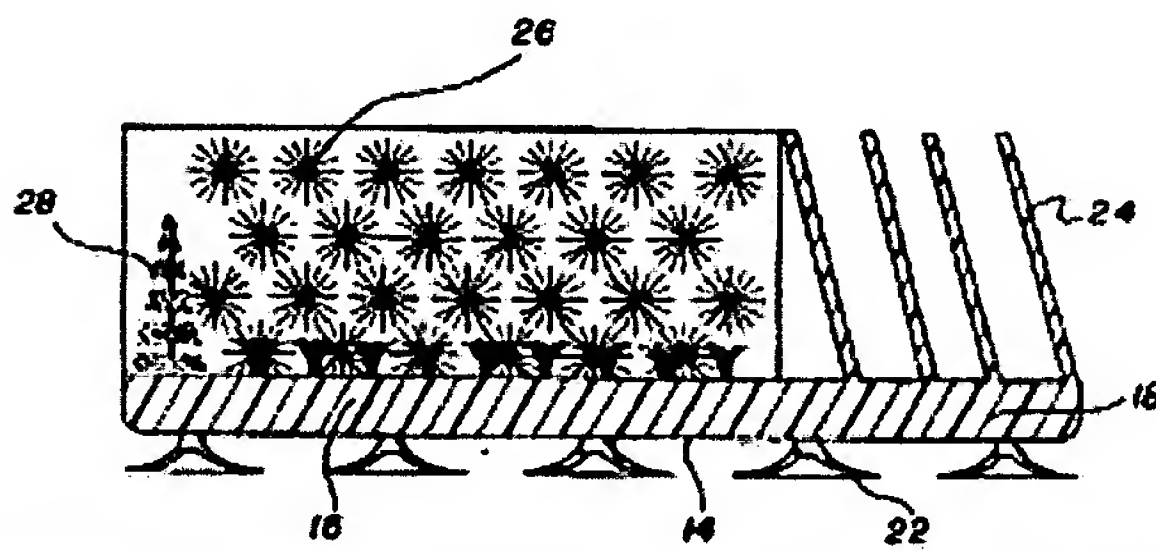
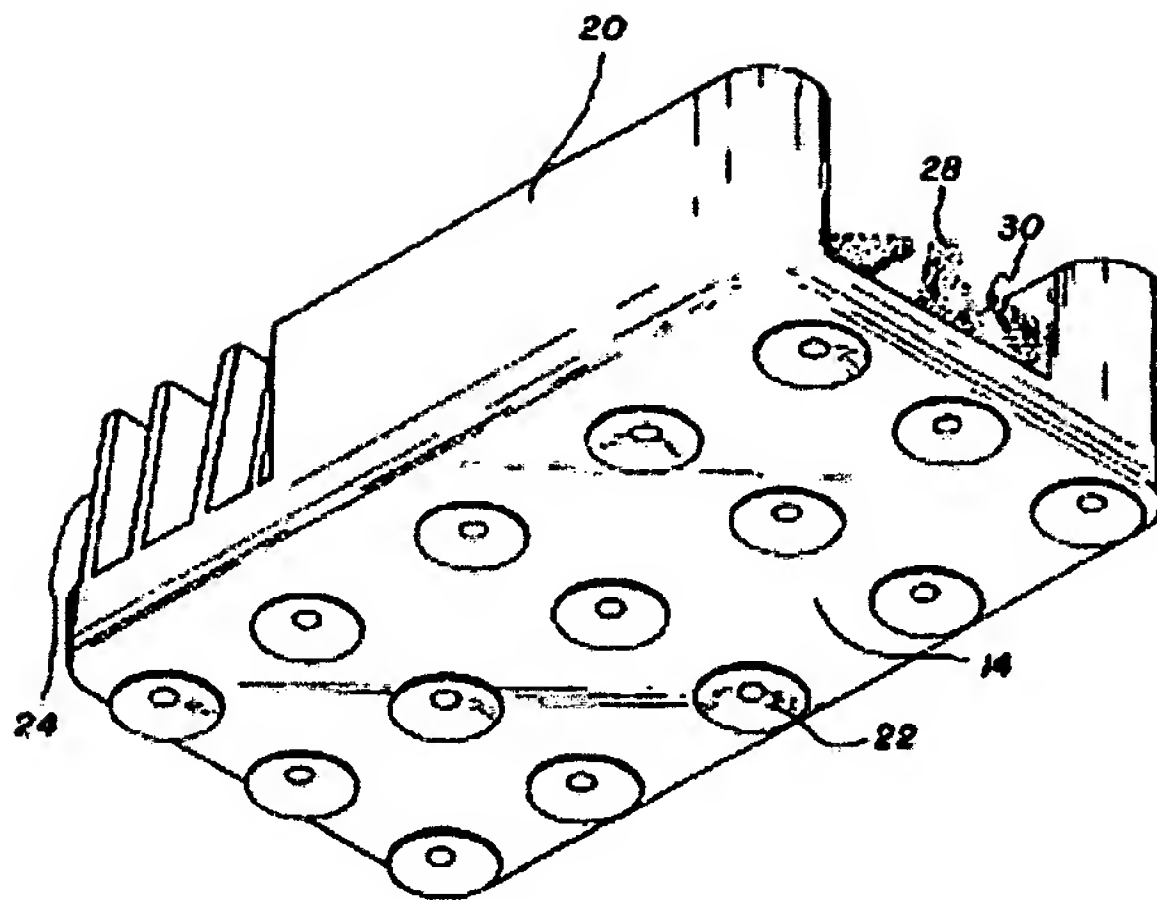
low	US5758381	US5758381	Foot scrubbing apparatus
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This is a scrubbing device intended to scrub the feet and hands. Unlike the 10/605409 application it is not triangular shaped, does not include scrubbing cords or a means to dispense soap.



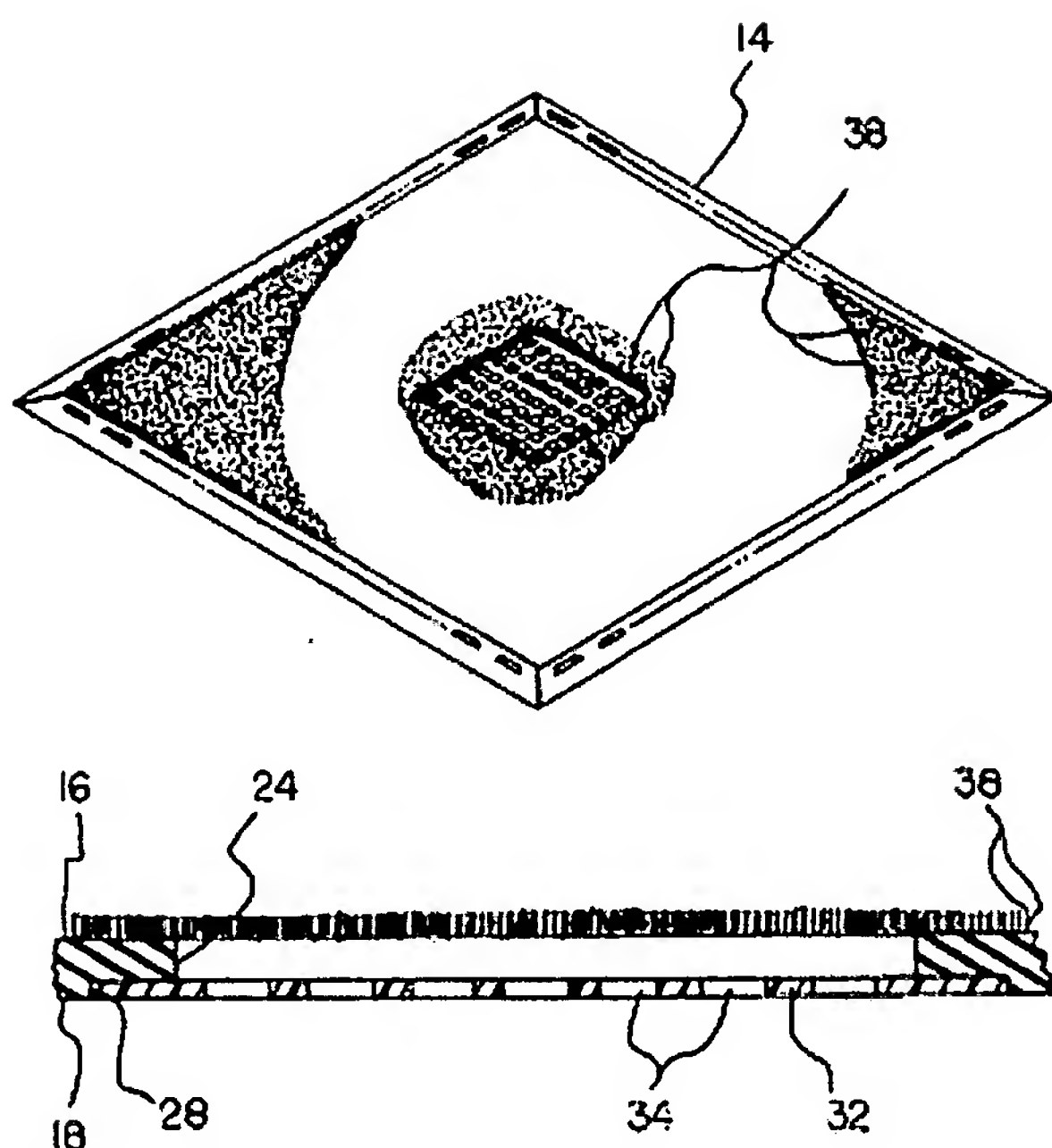
low	US5729858	US5729858	Foot scrubbing system
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Unlike the 10/605409 application it is not triangular shaped, does not include scrubbing cords or a means to dispense soap.



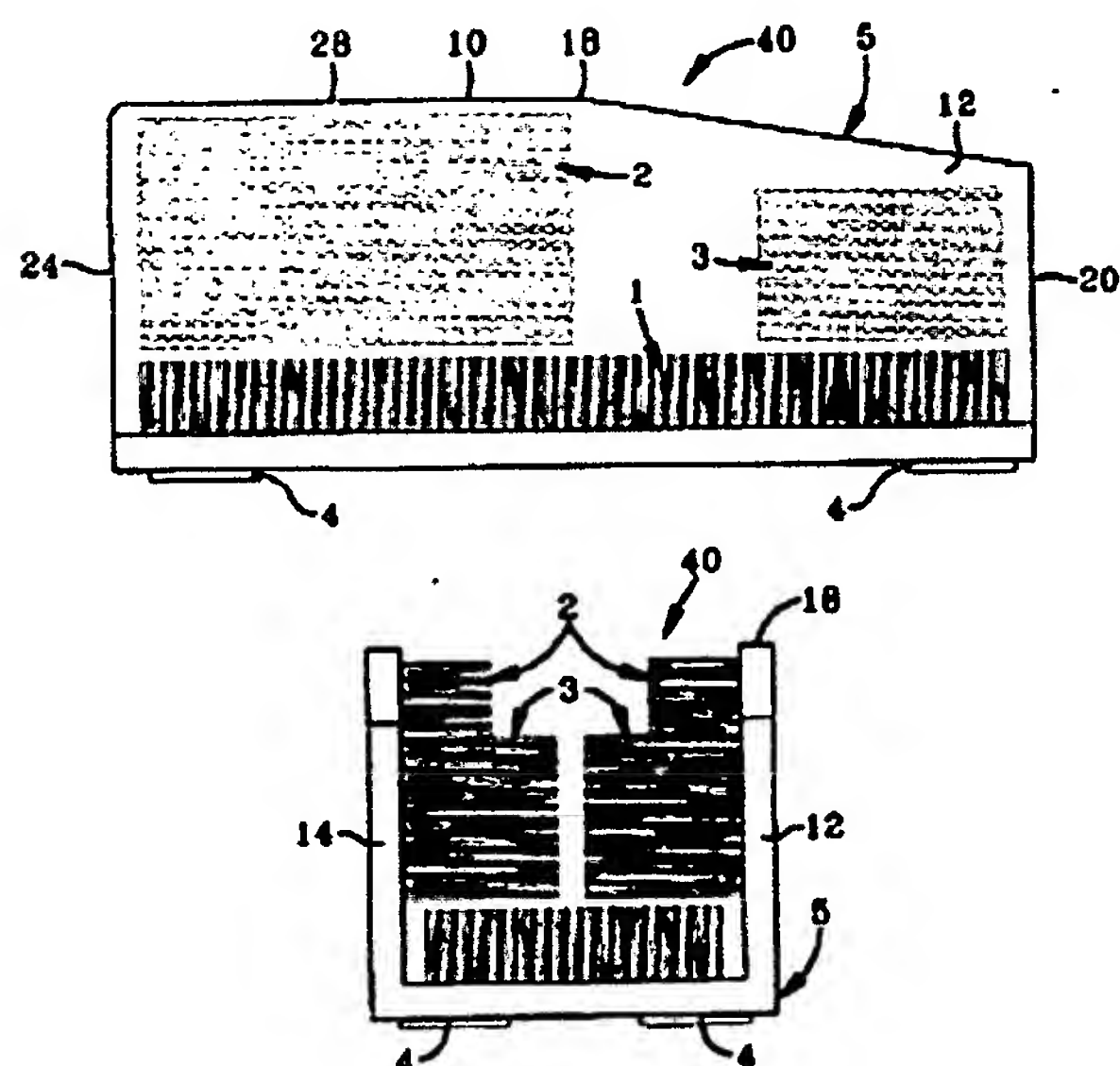
low	US5575034	US5575034	Foot cleaning and massaging mat system
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This is a scrubbing mat. Unlike the 10/605409 application it is not triangular shaped, does not include scrubbing cords or a means to dispense soap.



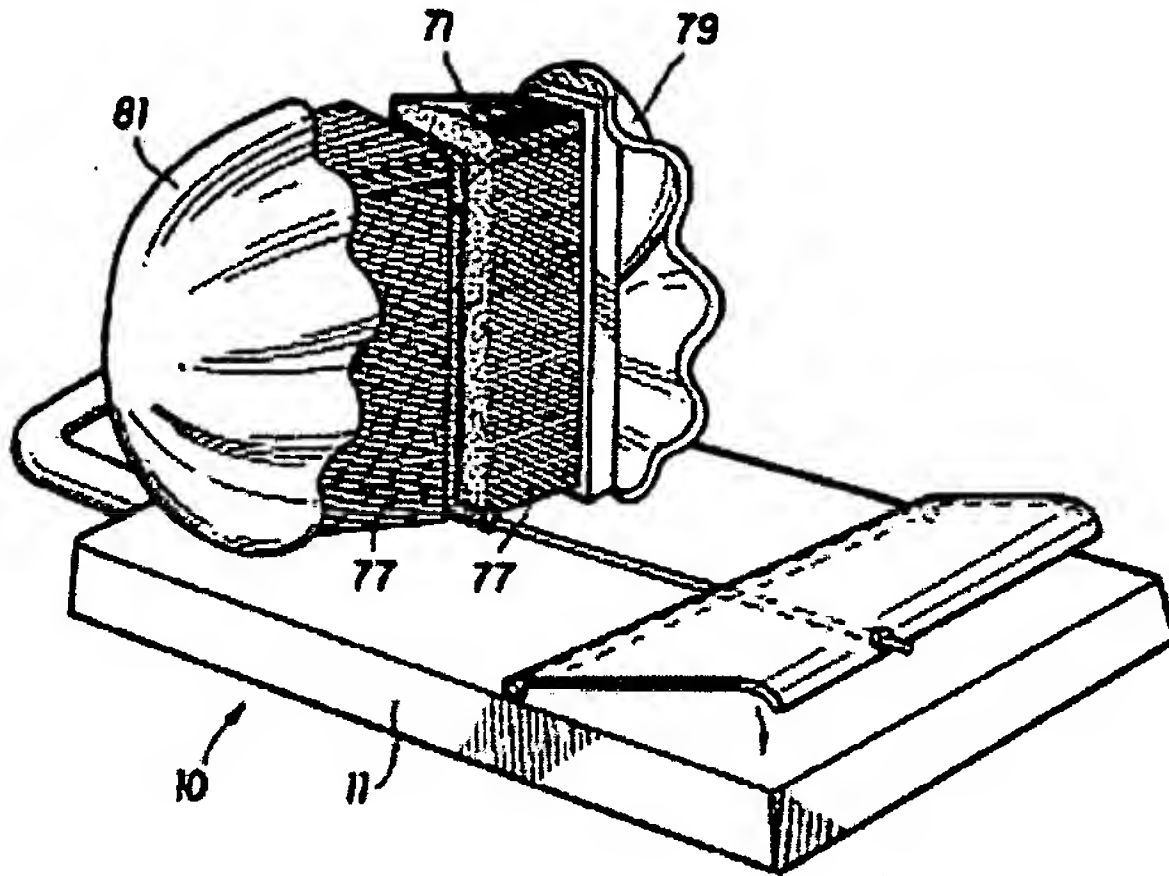
low US5321867 US5321867 Foot washing apparatus

This is designed to wash the sides and bottom of the feet, but not well suite for washing between the toes. Unlike the 10/605409 application it is not triagular shaped, does not include scrubbing cords or a means to dispense soap.

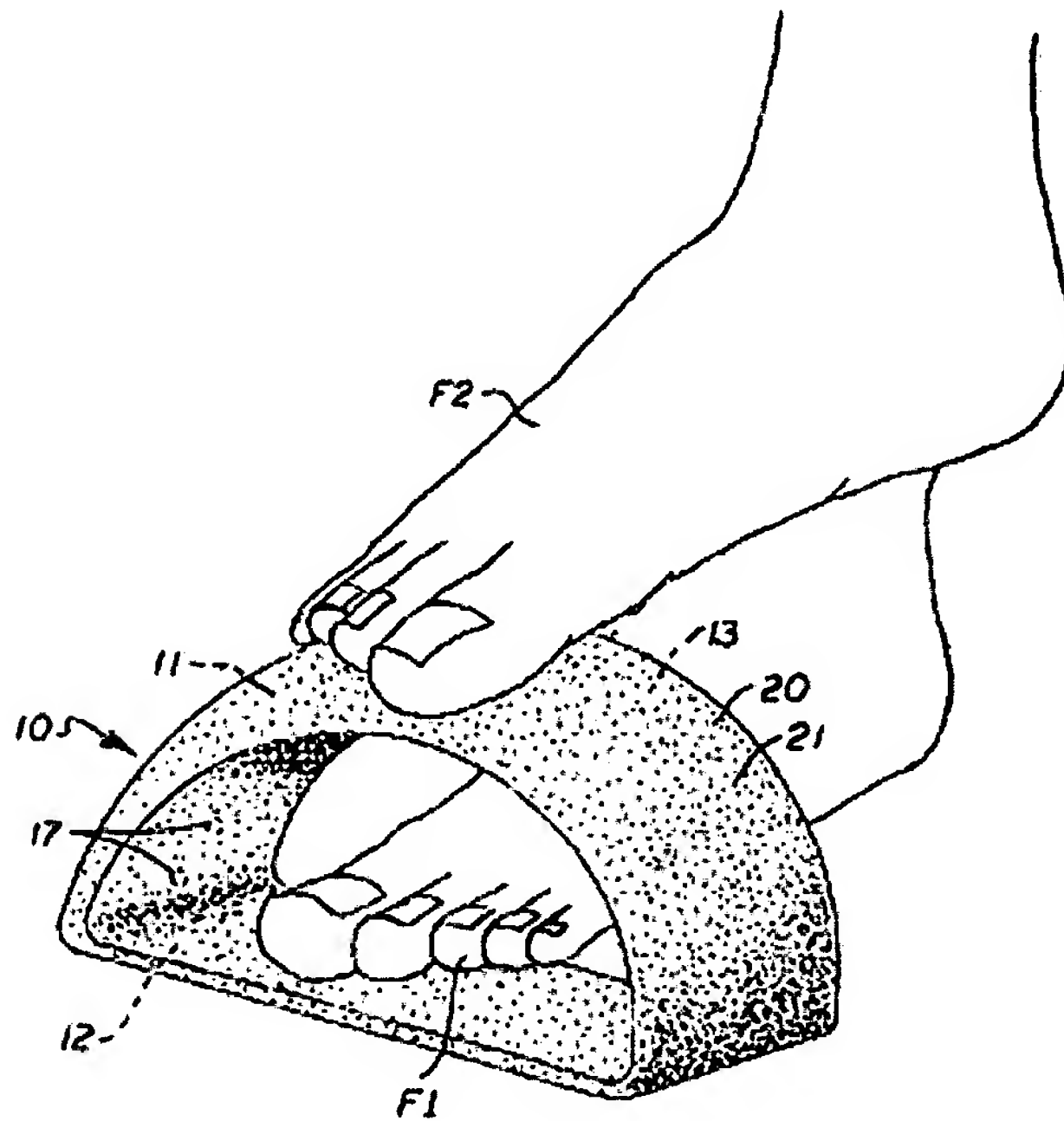


low US5321867 US4918779 Foot spraying and cleaning device

This is designed to wash the front and sides of the feet. Unlike the 10/605409 application it is not triangular shaped, does not include scrubbing cords or a means to dispense soap.



low US4003372 US4003372 Foot washing and massaging device



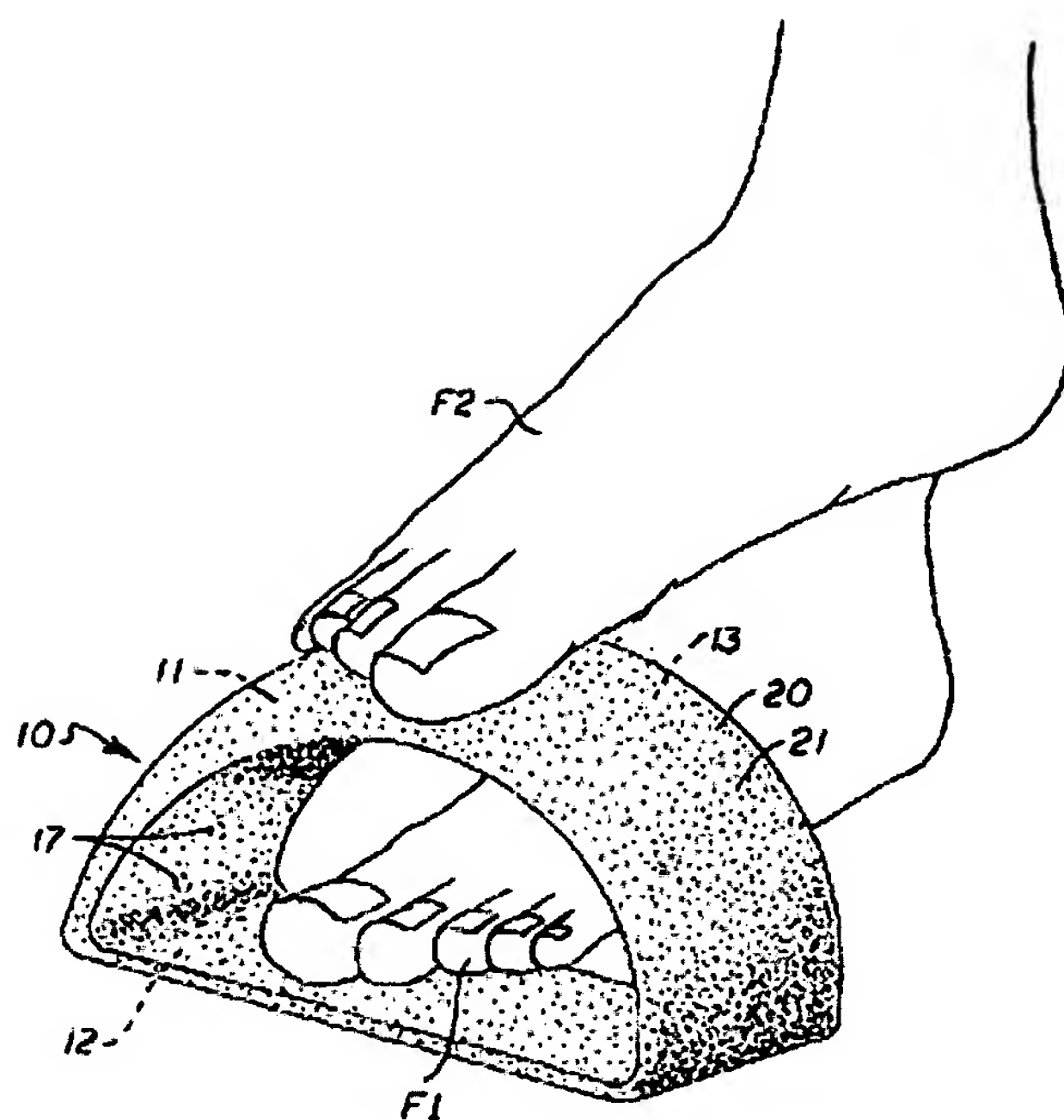
This is designed to wash the all parts of the feet. However there is no soap dispensing means. Further the 10/605409 application is triangular shaped containing scrubbing cords that are spaced so that all regions of the toes can be clean simultaneously.

Search Results - Class 601 SubClass 136

Relevance	Patent ID (link to summary)	Espacenet	Title
low	US6740052	US6740052	Foot scrubber
low	US6662398	US6662398	Hands free foot scrubber
low	US6478756	US6478756	Device for cleaning and massaging a foot
low	US6405400	US6405400	Personal foot scrubber
low	US6253407	US6253407	Foot scrubber
low	US5813078	US5813078	Shower foot washer
low	US5758381	US5758381	Foot scrubbing apparatus
low	US5735804	US5735804	Massaging foot pad
low	US5729858	US5729858	Foot scrubbing system
low	US5575034	US5575034	Foot cleaning and massaging mat system
medium	US5520618	US5520618	Foot cleaner massager and callus remover
low	US5321867	US5321867	Foot washing apparatus
low	US5056507	US5056507	Combination foot support and foot massaging device
low	US4617917	US4617917	Foot hygiene device
low	US4003372	US4003372	Foot washing and massaging device
low	US20050084649	US20050084649	System for foot care

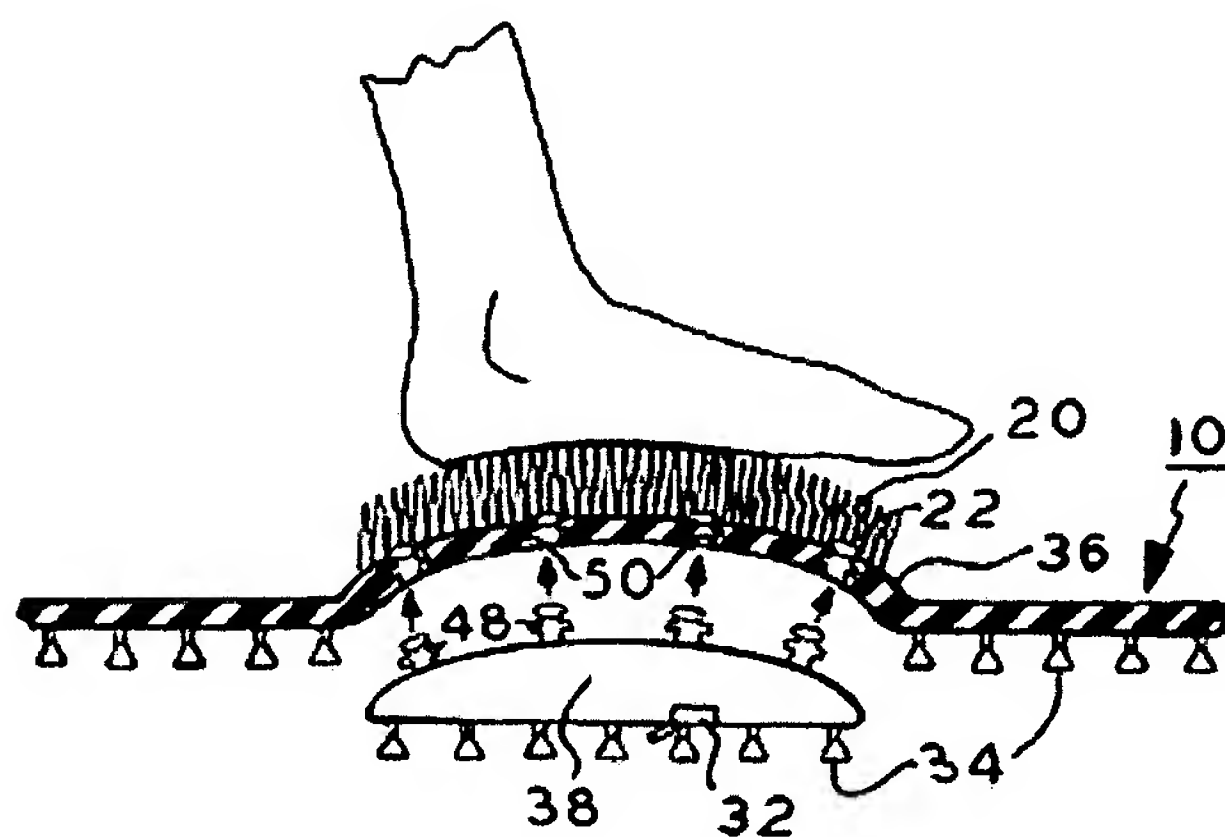
low	US6740052	US6740052	Foot scrubber
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This is designed to wash the all parts of the feet. However there is no soap dispensing means. Further the 10/605409 application is triangular shaped containing scrubbing cords that are spaced so that all regions of the toes can be clean simultaneously.



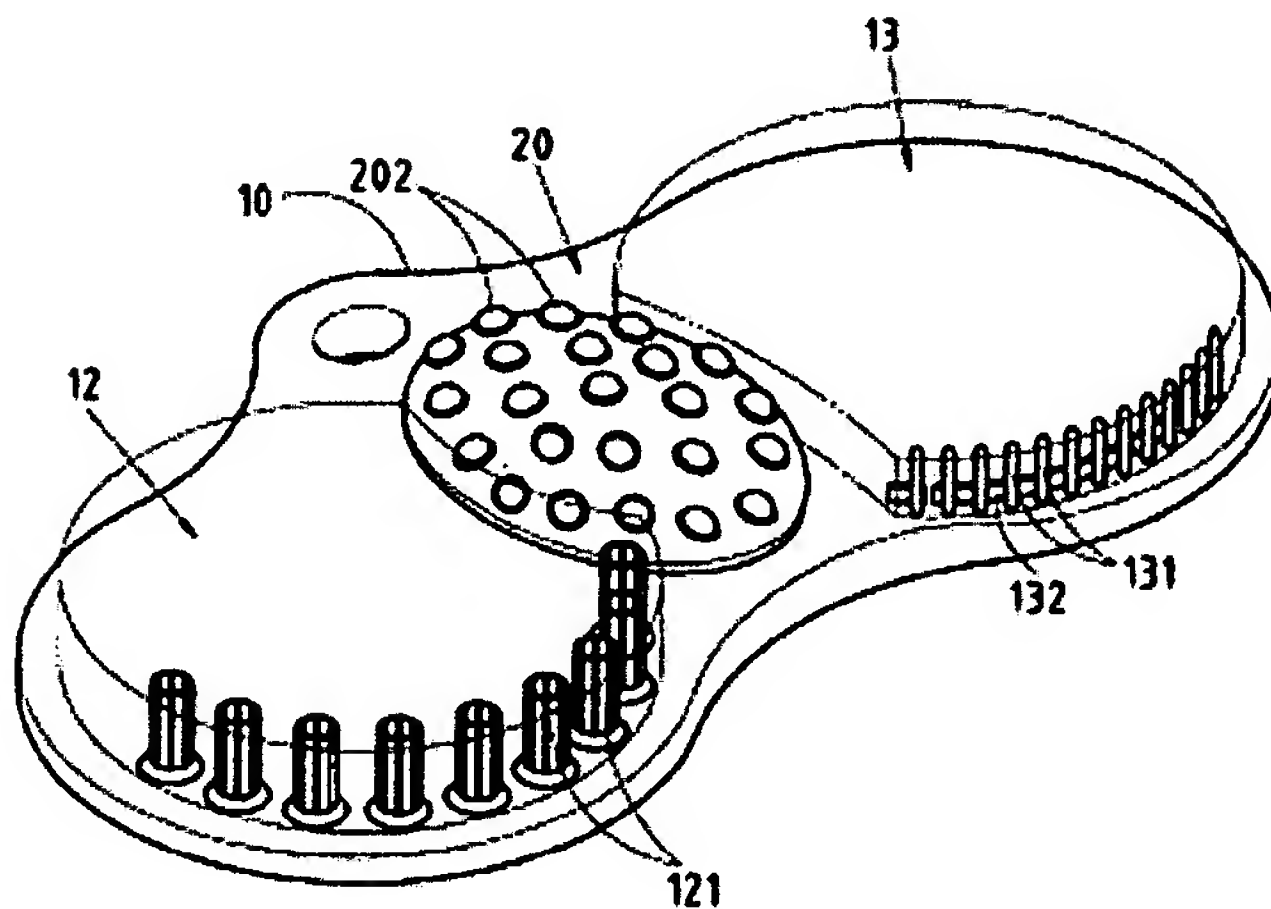
low US6662398 US6662398 Hands free foot scrubber

This patent consists of a raised foot pad that rests on top of an enclosed refillable bladder containing liquid soap. Foot pressure causes soap to be released through pores in the bladder that engage the foot pad. This contains no way to clean between the toes or remove calluses.



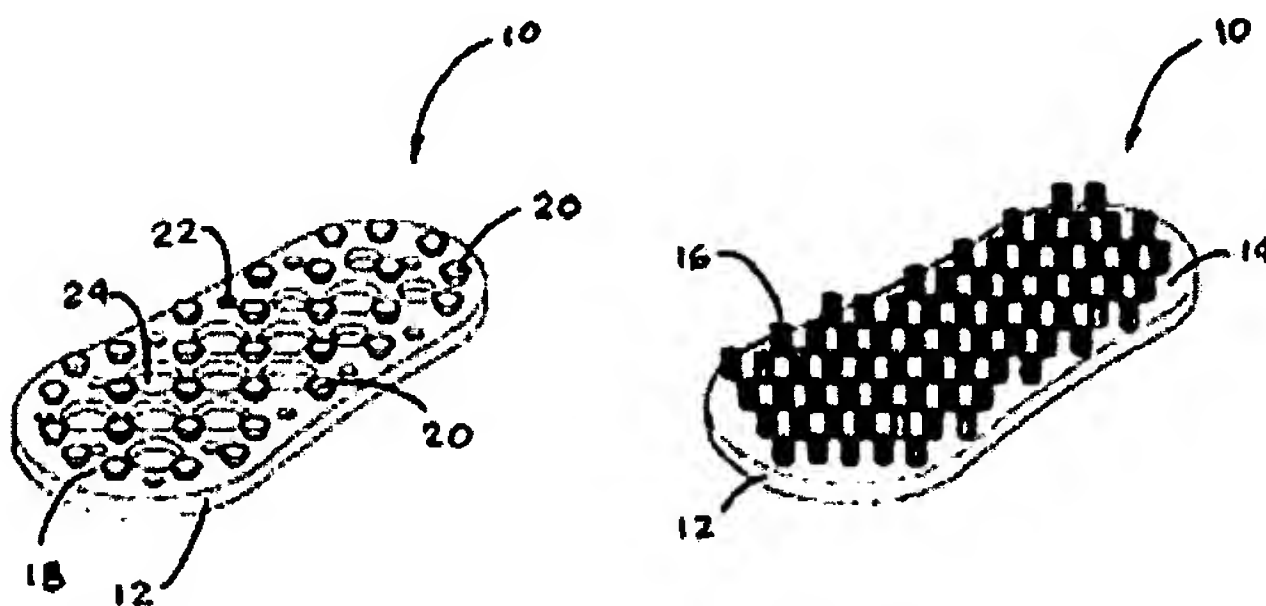
low US6478756 US6478756 Device for cleaning and massaging a foot

This device both cleans and massages the feet. It does not have scrubbing cords or is designed to calluses.



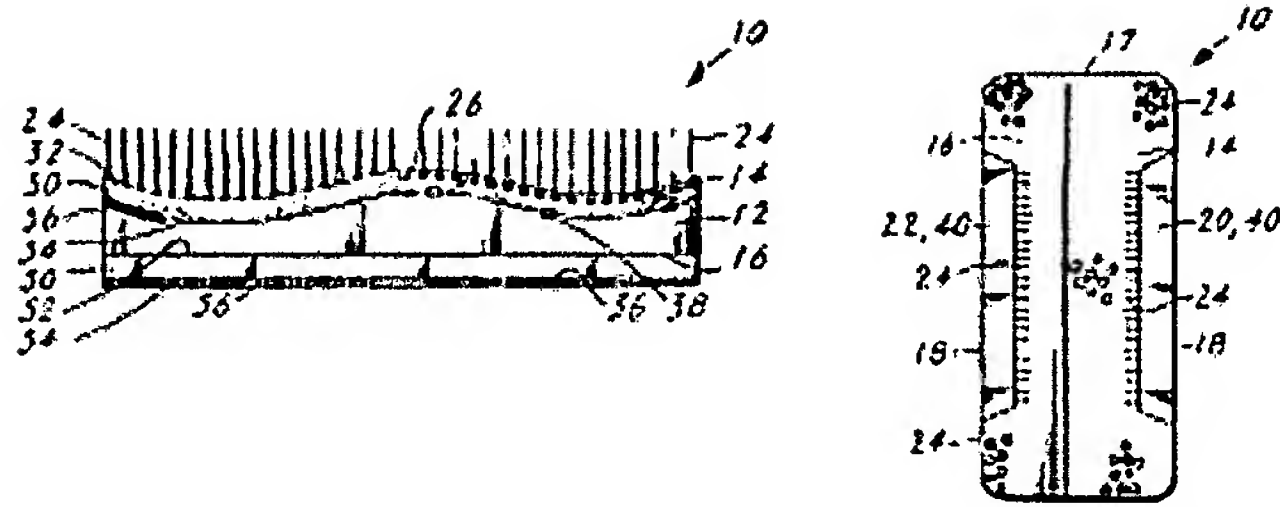
low	US6405400	US6405400	Personal foot scrubber
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This is a foot scrubber that is a one piece construction. With this design its very difficult to clean between the toes. The 10/605409 application is a multiple piece construction. It has scrubbing cords used to scrub regions between the toes.



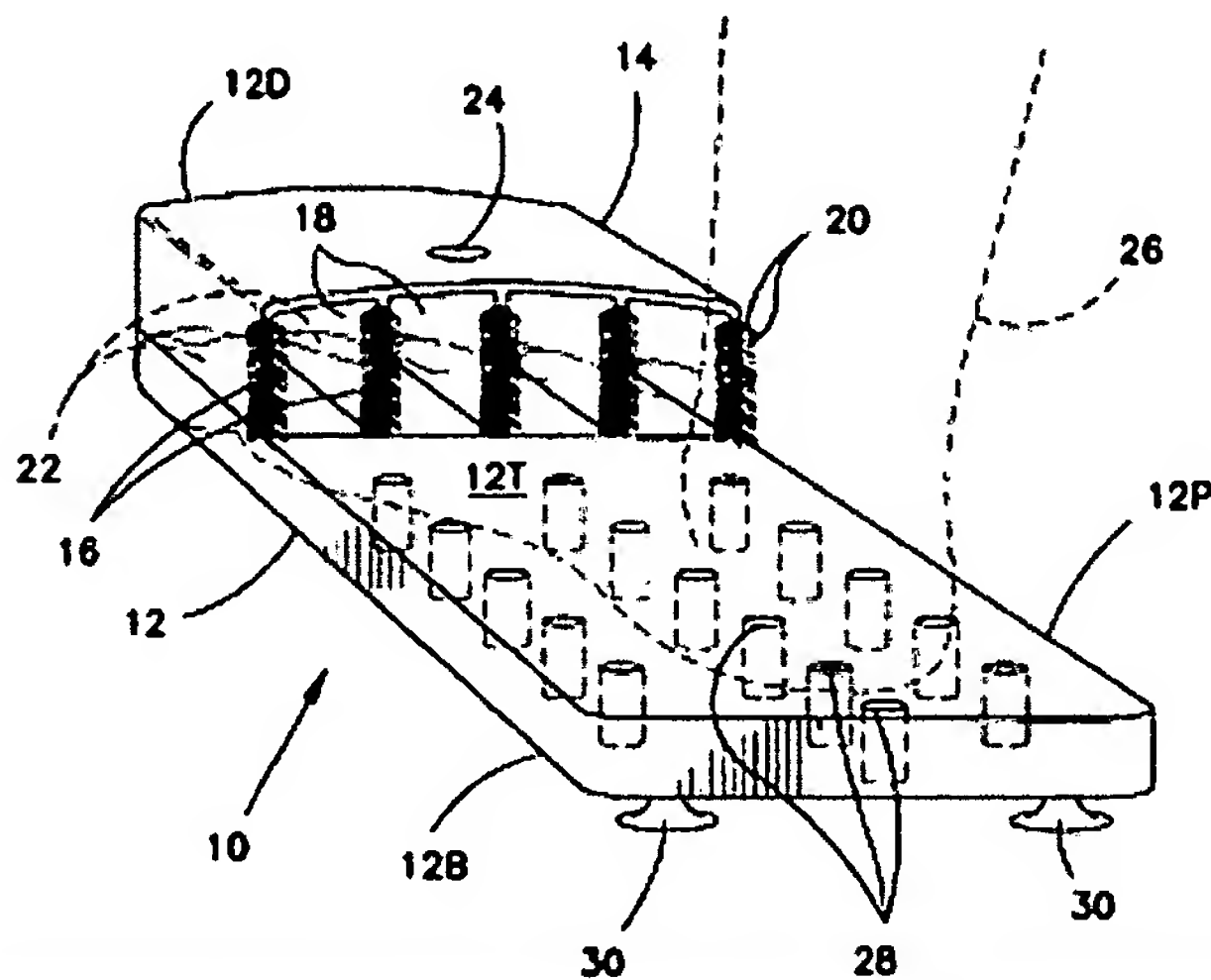
low	US6253407	US6253407	Foot scrubber
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This is a foot scrubber but does not contain scrubbing cords. Also to use this scrubber soap is applied by the user. The 10/605409 application soap is applied by means of a soap dispenser that resides on top of the scrubbing cord.



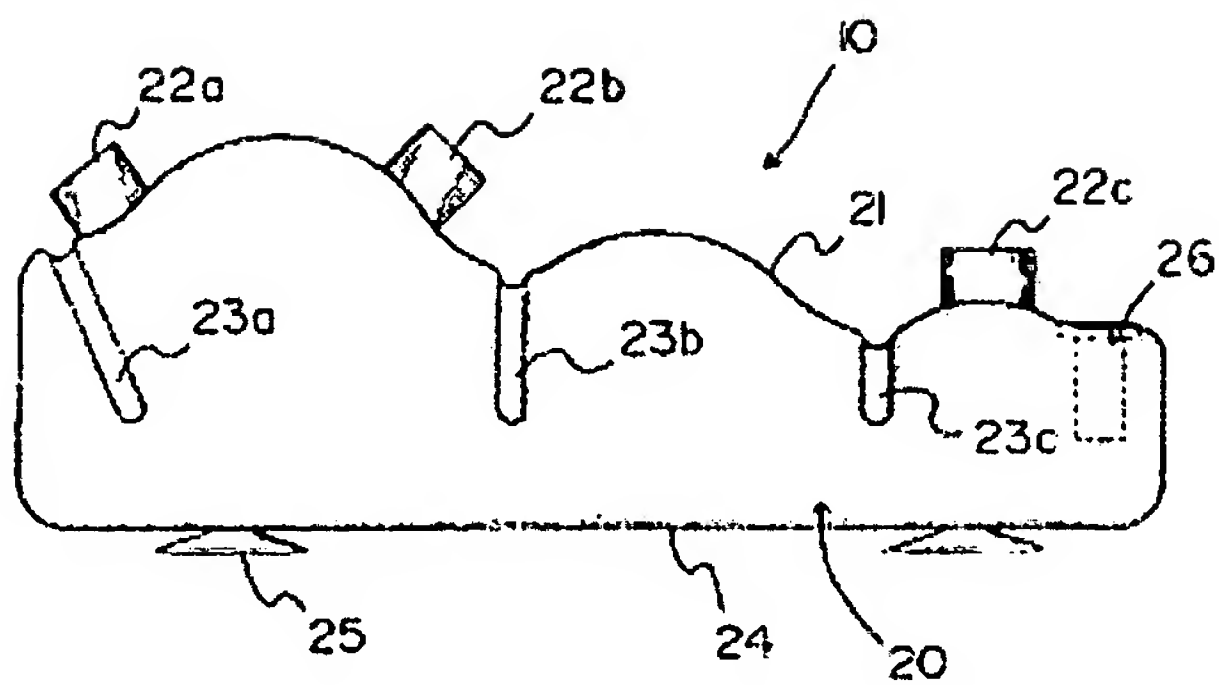
low	US5813078	US5813078	Shower foot washer
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This shower foot washer is designed to stick to the floor using suction cups. The foot is washed by stepping onto the device where the brush extensions that protrude from the vertical partitions are used to cleaning the foot and toes. The bores are allowed for water and soap to drain through the shower foot washer.



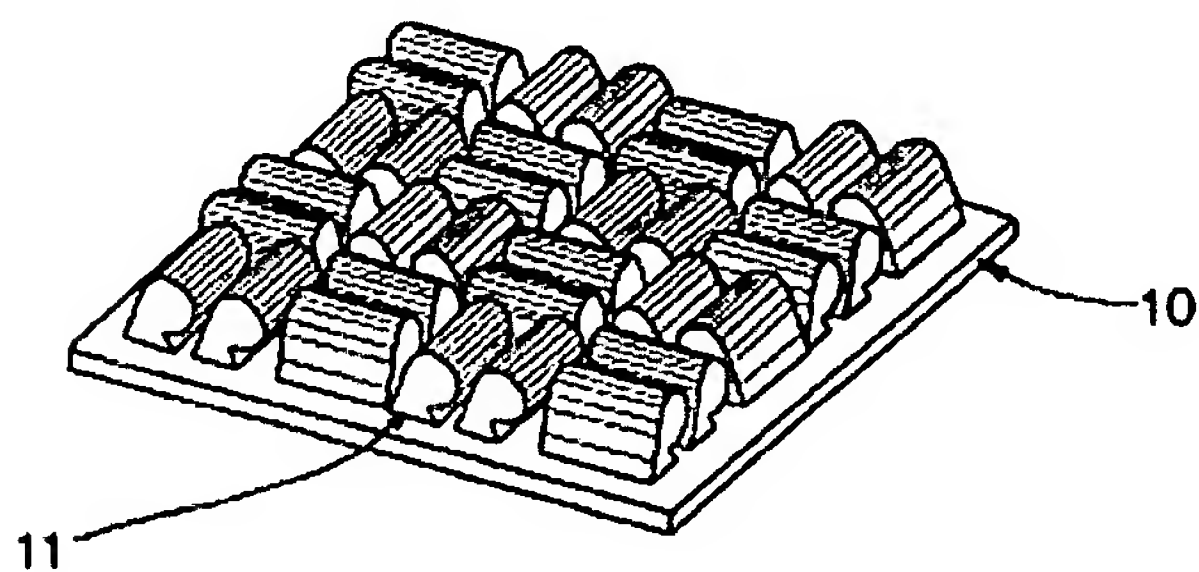
low	US5758381	US5758381	Foot scrubbing apparatus
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This is a scrubbing device intended to scrub the feet and hands. Unlike the 10/605409 application it is not triagular shaped, does not include scrubbing cords or a means to dispense soap.



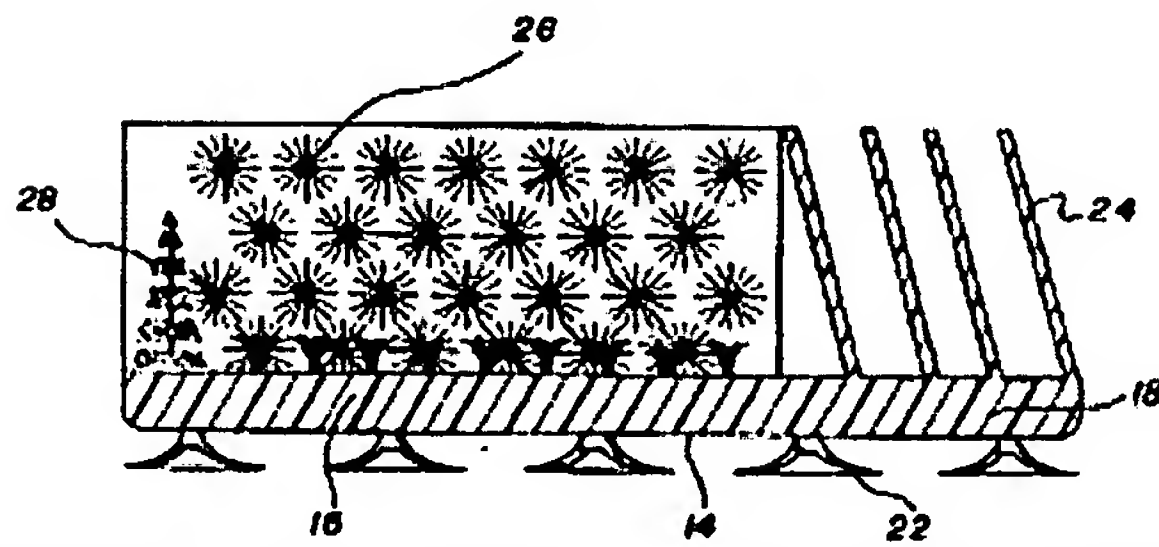
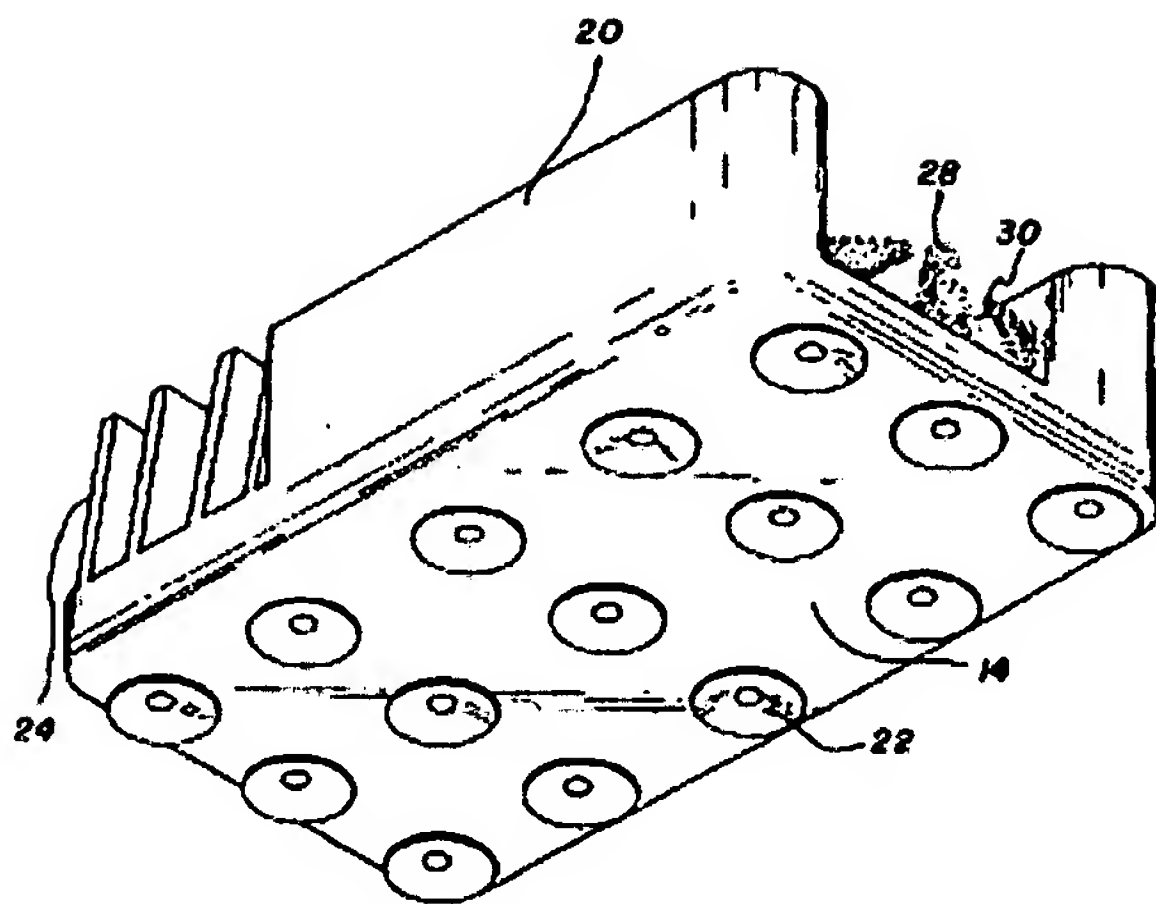
low	US5735804	US5735804	Massaging foot pad
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This is a foot pad that has features for scrubbing the bottom of the foot but not on the top, the sides or spaces between the toes.



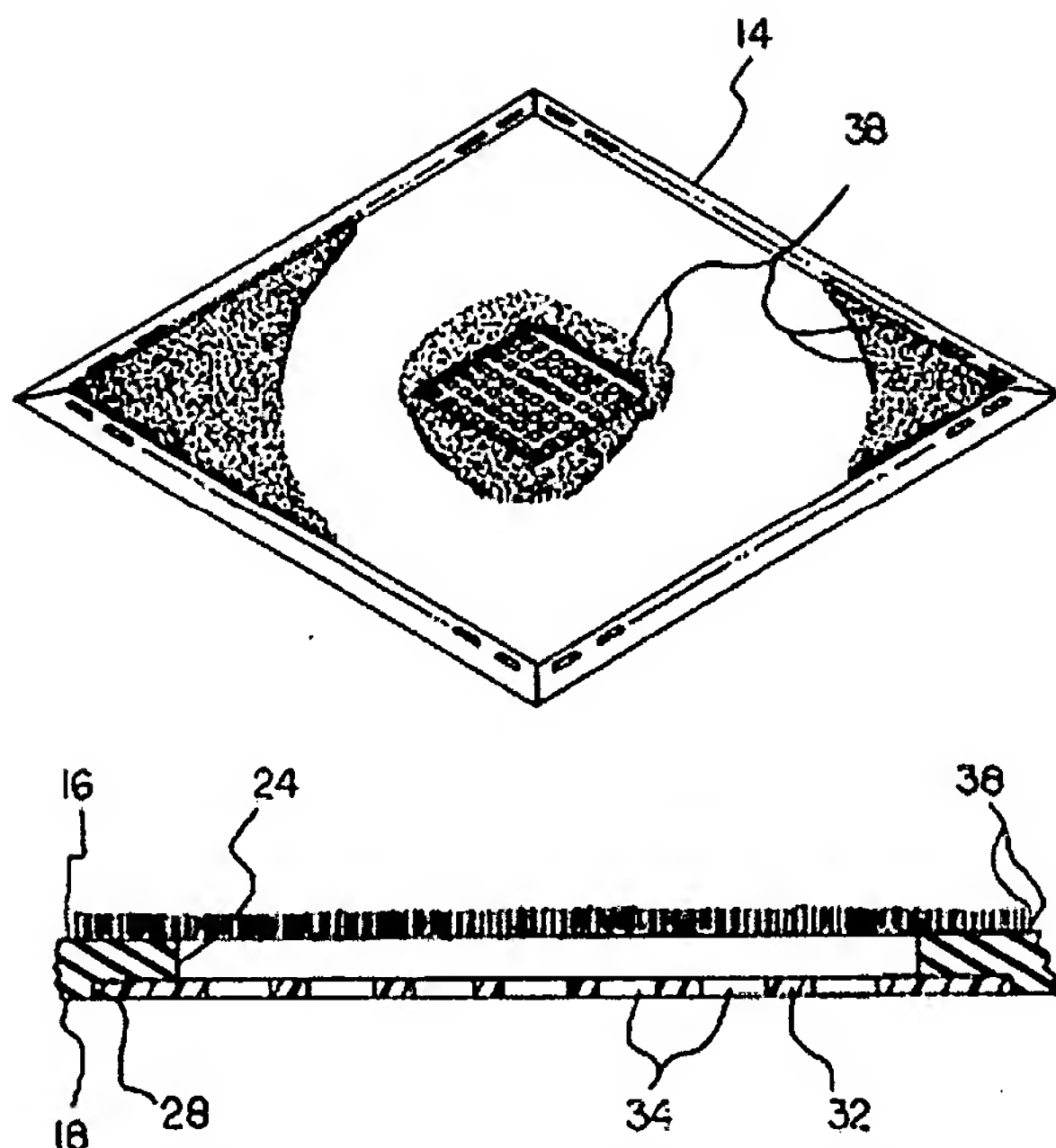
low	US5729858	US5729858	Foot scrubbing system
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Unlike the 10/605409 application it is not triangular shaped, does not include scrubbing cords or a means to dispense soap.



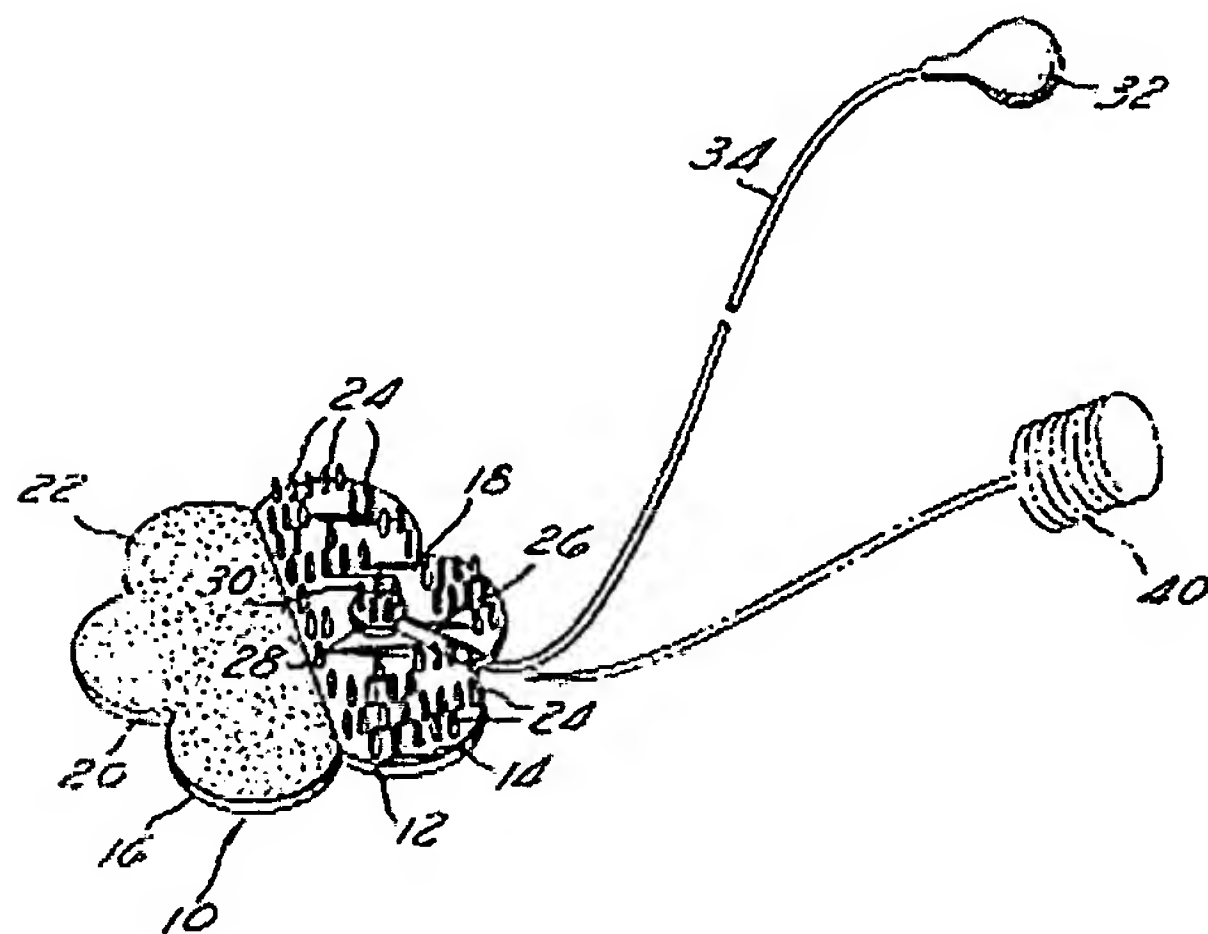
low	US5575034	US5575034	Foot cleaning and massaging mat system.
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This is a scrubbing mat. Unlike the 10/605409 application it is not triangular shaped, does not include scrubbing cords or a means to dispense soap.



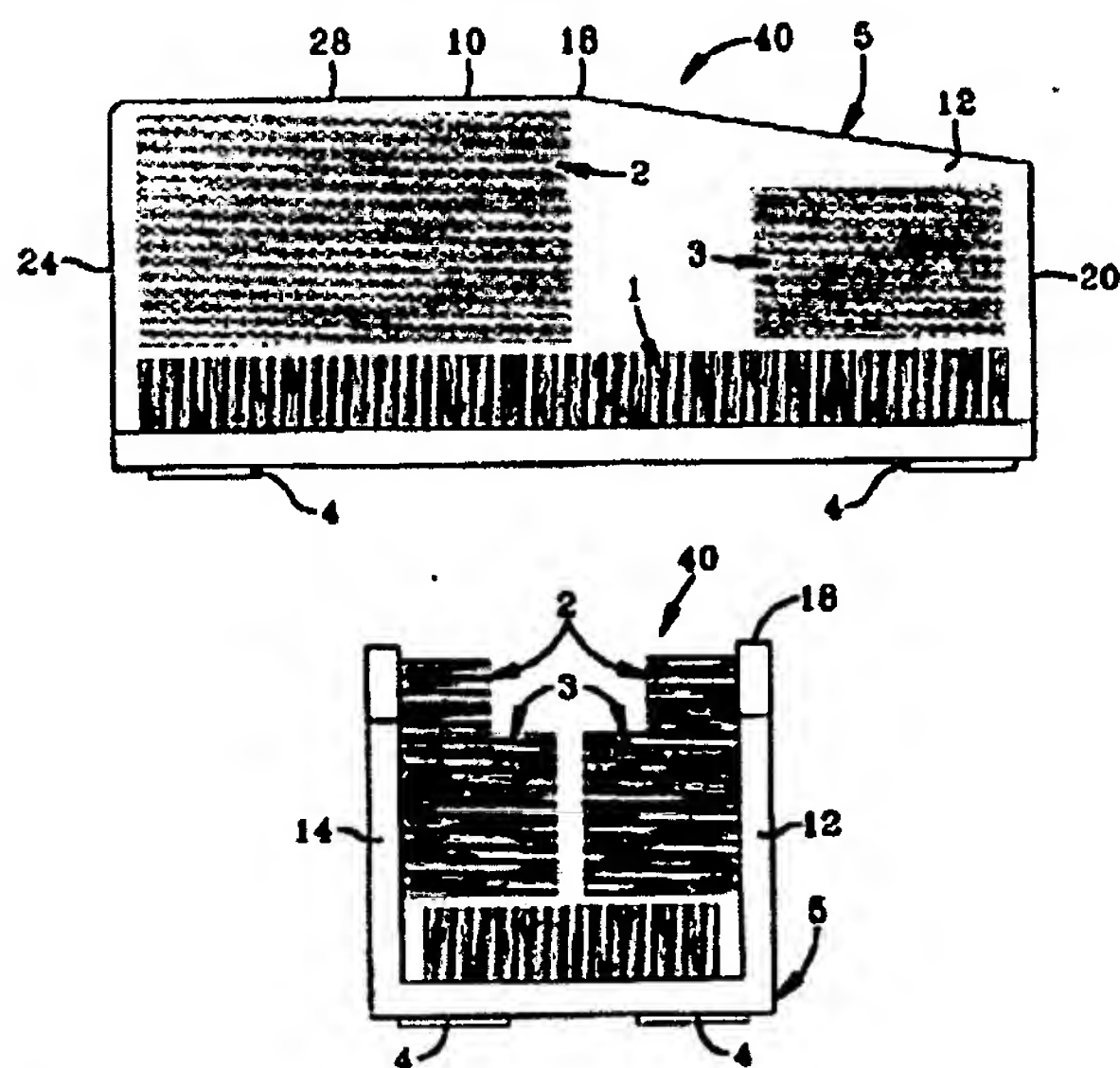
medium	US5520618	US5520618	Foot cleaner massager and callus remover
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This apparatus is designed to clean, massage and remove calluses from the foot. It includes a base with an upper platform surface having a plurality of upstanding frusto-conical protuberance of uniform height and includes a passageway through which a liquid detergent may be dispensed. It also contains an abrasive surface for removing calluses from the foot. This is different from the 10/605409 application in that the structure is entirely different. Also the way the soap is dispensed is by hand in the patent whereas the 10/605409 disclosure dispenses soap using the foot.



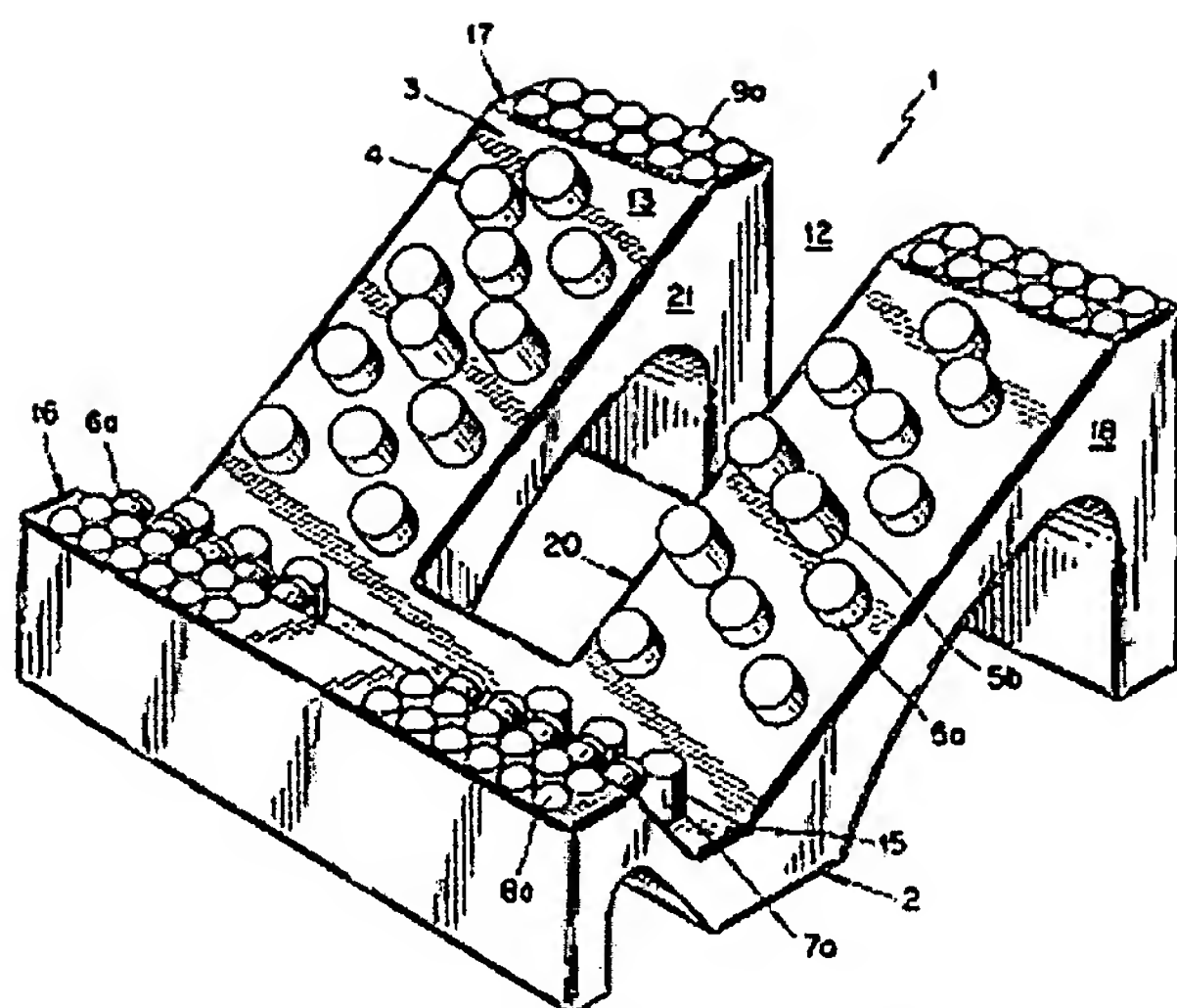
low US5321867 US5321867 Foot washing apparatus

This is designed to wash the sides and bottom of the feet, but not well suite for washing between the toes. Unlike the 10/605409 application it is not triagular shaped, does not include scrubbing cords or a means to dispense soap.



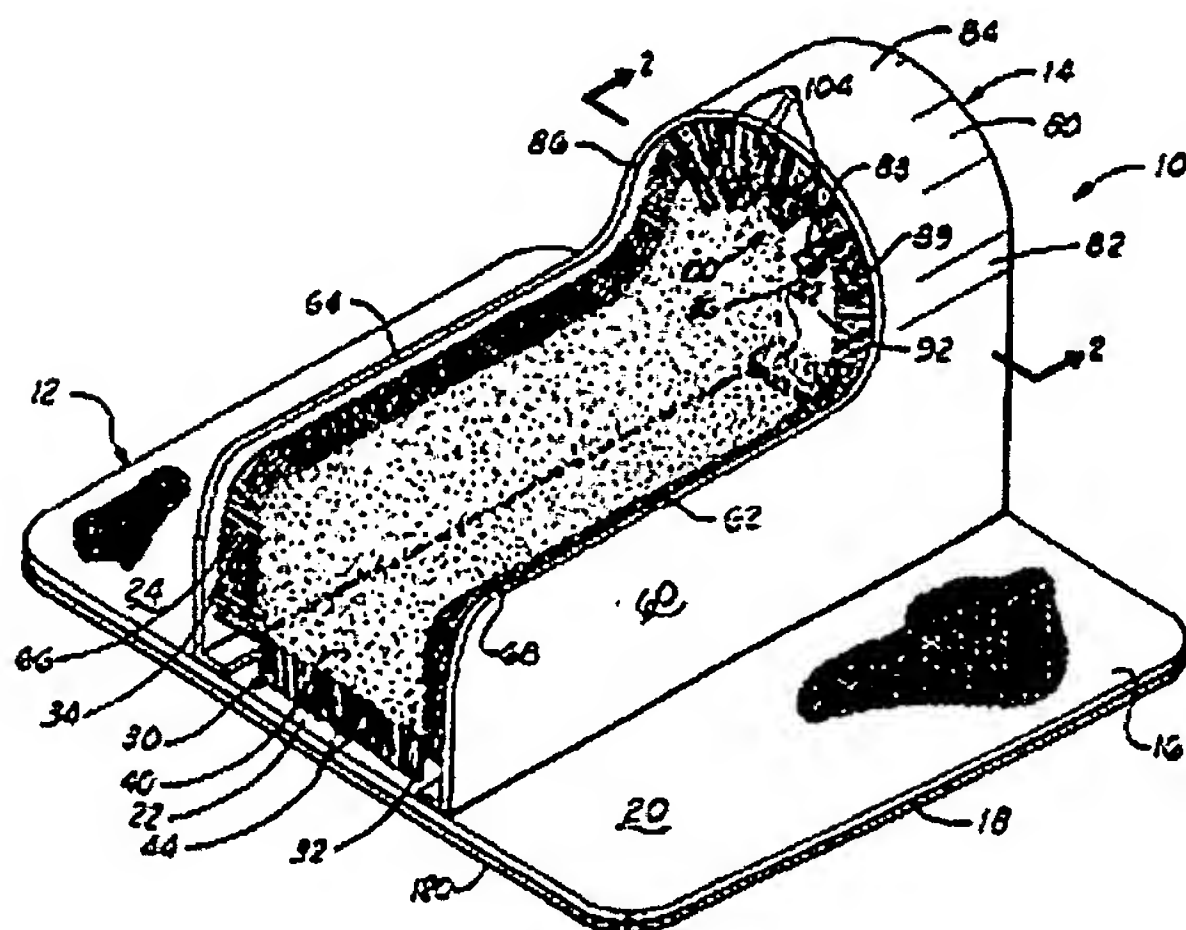
low US5056507 US5056507 Combination foot support and foot massaging device

This is designed to be a foot support. The 10/605409 application is not designed for this. Also this patent, has no means to wash between the toes or dispensing soap.



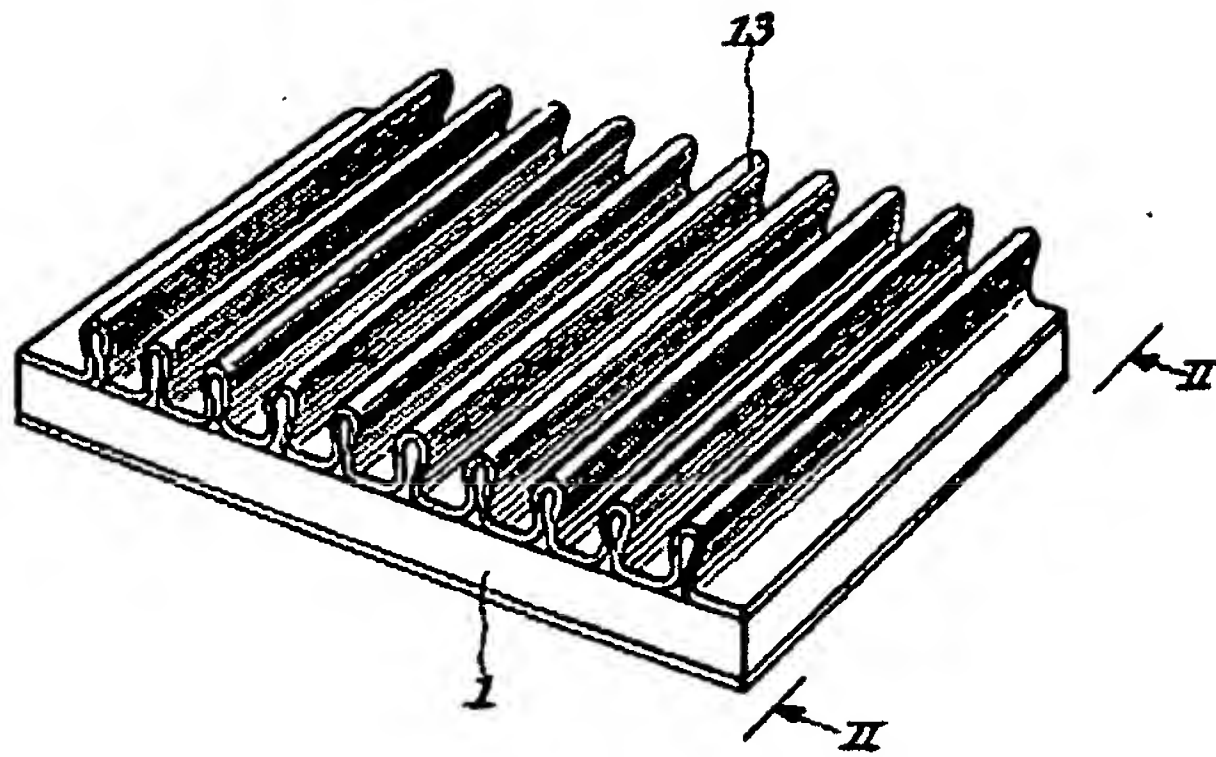
low US4617917 US4617917 Foot hygiene device

This patent discloses a foot hygiene device that comprises a foundation member that fits around the foot. Brushes are available to scrub all sides of the foot except the toes



low US4003372 US4003372 Foot washing and massaging device

This is a scrubbing mat. Unlike the 10/605409 application it is not triangular shaped, does not include scrubbing cords or a means to dispense soap.



low	US20050084649	US20050084649	System for foot care
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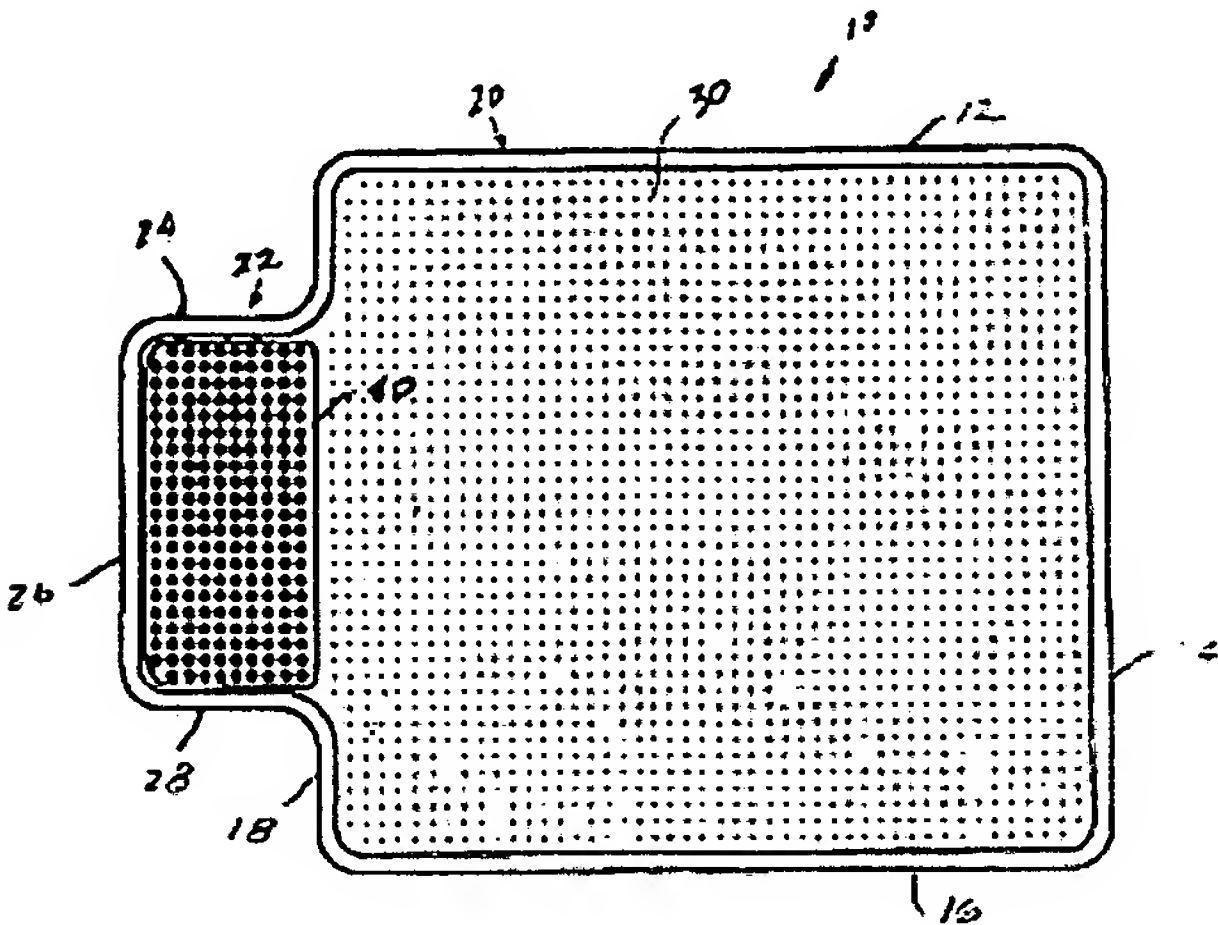
This is a scrubbing sock that is applied to the foot. Application 10/605409 does not scrub the foot by means of a sock.

Search Results - Class 601 SubClass 138

Relevance	Patent ID (link to summary)	Espacenet	Title
low	US6554782	US6554782	Chairmat with foot massage area

low	US6554782	US6554782	Chairmat with foot massage area
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This is a mat to be put on a chair. Unlike the 10/605409 application it is not triagular shaped, does not include scrubbing cords or a means to dispense soap.



Side view

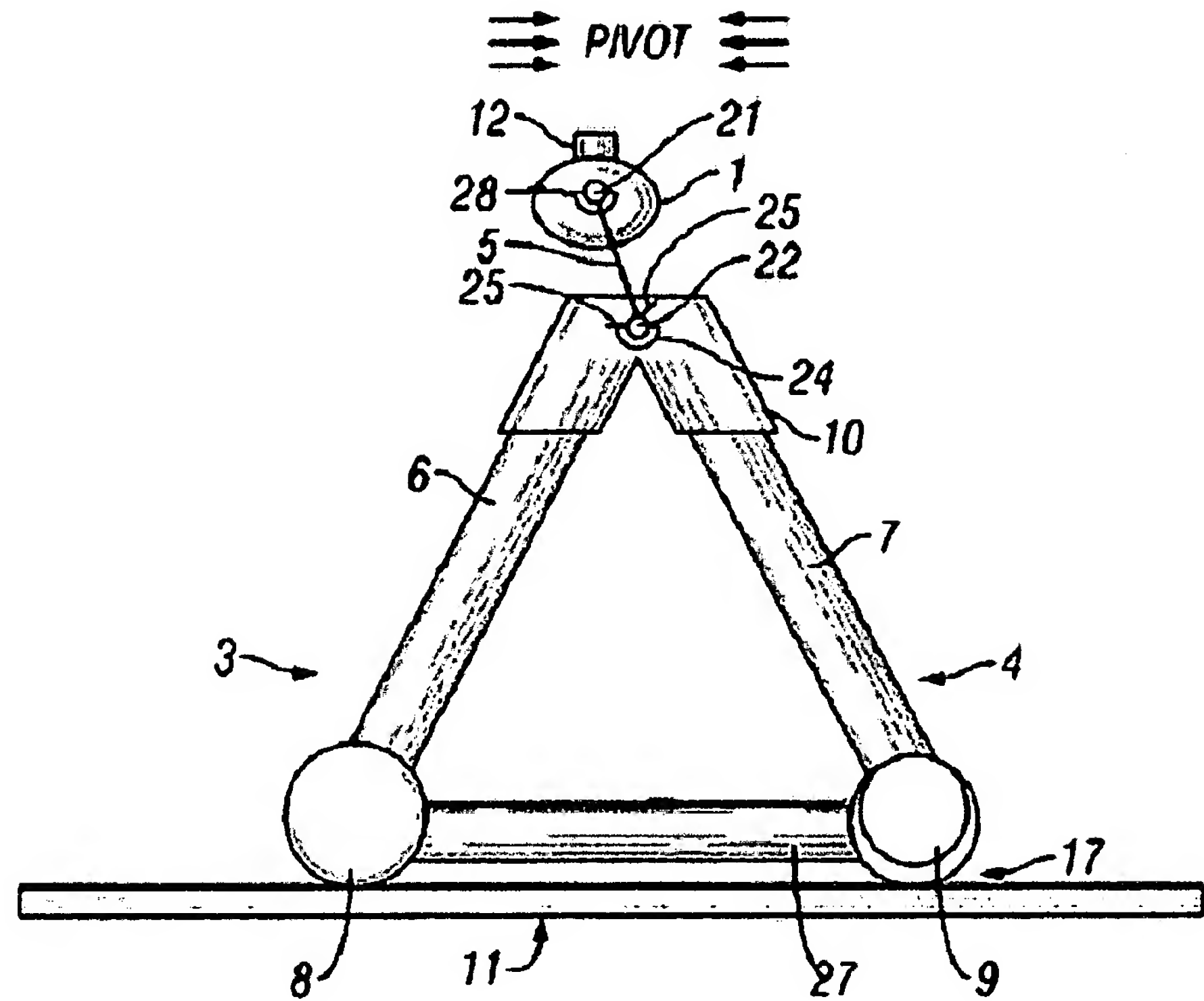


FIG. 3

Back view

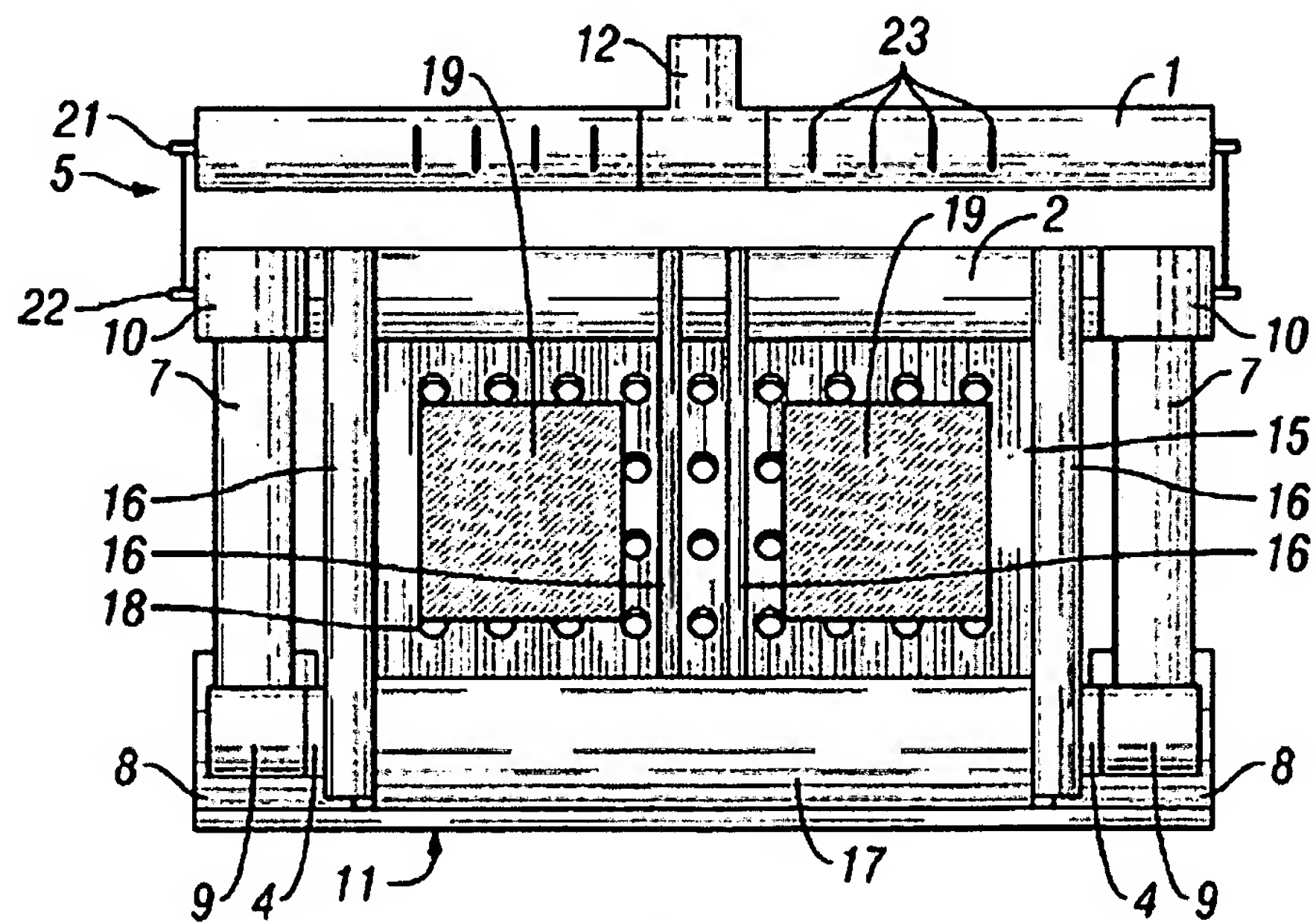


FIG. 2